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OCT. 16 '47

Faith and Fidelity—American Pledge to the United Nations

ADDRESS BY THE SECRETARY OF STATE¹

I am glad to participate in the opening of United Nations Week.

The interest and the sense of public responsibility shown by the American Association for the United Nations and the scores of other national organizations which have joined in preparing this week of public education in the work of the United Nations is deserving of commendation. It should result in a deepened understanding of the purposes, the accomplishments, and the difficulties of the United Nations and a more understanding determination on the part of the American people to make it succeed.

The General Assembly will convene at Flushing Meadows on Tuesday for its second regular session. Delegates from the 55 member states are now arriving in this country for this meeting. They will receive a warm and cordial welcome from our people, who will follow their work with close and sympathetic attention. The Assembly will consider a number of unusually complex political problems, including those relating to Greece and Palestine, for which solutions must be found. There are already approximately 80 items on the agenda, with still others to be raised in the course of debate.

It is important that the peoples of the world should turn their eyes toward the United Nations while the General Assembly is in session. It is particularly important that the people of the United States closely follow the proceedings and gain a full appreciation of the nature of the problems faced by the General Assembly. The broad outlines of our foreign policy are determined by our citizens. The American people, fortunately, are free to speak out on matters of policy. They vote; they form their own opinions; and they organize themselves into innumerable groups to give expression to their views. Through a free press

and radio and through the film and other means of communications, they have full access to all shades of thought and opinion.

In order that the conclusions of the American public will be firmly based upon fact and upon mature reflection and realistic consideration of the issues involved, it is of importance that all sources of information and aids to the enlightenment of public opinion be used to the full. We are faced with policy questions which are baffling and far-reaching. Even when all the facts are available it is seldom easy to reach a decision with complete certainty that the right decision has been made. Without the facts, sound judgment of the issues is impossible.

This is why your endeavors deserve the support of all those who work for a peaceful world. The achievements of your organizations in the past have been truly remarkable. Without your help and the help of like-minded people in other parts of the world, the United Nations might not have come into existence. Without such continued help, it can only have a limited future. There is still much to be done and it is of the utmost importance that it be done.

A recent survey of public opinion revealed that one out of three people in the United States still does not know what the United Nations is and what it does. The same study showed that only one in five knows what is meant by the veto.

The problem of creating a broad understanding of the many specific issues before the United Nations bodies is particularly great. The annual report of the Secretary-General to the General Assembly shows that from July 1, 1946, through

¹ Delivered before the American Association for the United Nations at New York Sept. 14, 1947, and released to the press on the same date. The address was also carried over the national network of NBC.

June 30, 1947, the General Assembly held 443 plenary and committee meetings, the Security Council 347, the Economic and Social Council 168, the Trusteeship Council 56, and other United Nations bodies 897, or a total of 1,911 meetings in one year.² The most cursory glance at the subjects discussed at these meetings indicates that as Americans we are concerned with almost every topic dealt with. The entire range of our foreign policy is involved.

To do our share in the work of the United Nations the Government of the United States must operate as an effective team under the leadership of the President. Almost every department and agency of the Executive branch of the Government is necessarily involved. Congress, too, is heavily involved in international matters and plays a determinant role in the implementation of our foreign policies from the financial point of view.

But the American public plays the decisive role. They set the objectives, they select the principal officers of Government, and they weigh and criticize results. That is the democratic process. If it is to be fully effective, the public needs leadership—not only the leadership of formally elected and appointed officers of Government but the leadership of informed and discerning men and women in each community throughout the country. This is preeminently the role of the organizations which are cooperating in this United Nations Week.

The Department of State welcomes public scrutiny of its efforts and the criticism which helps us to check the wisdom of our actions. We try in every possible way to find out what the American public thinks about the great issues before us and to explain to them what we think and do about them. Many of you have participated in the regular meetings we have organized with representatives of national organizations. Many of you have spoken to officers of the State Department, who are all available for consultation. Letters from organizations and individuals, which we receive in great numbers, are carefully studied. No organization or individual expressing opinions or judgments on important public issues should conclude that such views are of no interest or assistance. The contrary is the case.

² U.N. doc. A/315, July 14, 1947. For introduction see BULLETIN of Aug. 24, 1947, p. 365.

Let me urge you, therefore, that you continue throughout the year activities of the type which you have developed for this United Nations Week.

We learned during the recent war that every household, every farm, every village, and every business is deeply involved in the great problems of peace and security for the solution of which we have established the United Nations. These same problems, and the efforts to meet them in the United Nations, therefore require intelligent attention in all of our schools, our churches, our civic, business, and social organizations—wherever, in fact, citizens gather to discuss their vital interests.

We Americans must obtain a clear understanding of the role which we ourselves are called upon to play in the United Nations. We must understand the roles which others are playing or are failing to play. We must continually remind ourselves that the United Nations succeeds or fails according to the conduct of the members themselves and their willingness to act in accordance with the Charter. We must become familiar with the terms of the Charter. I think this might well be included in the curriculum of our high schools and colleges.

The limitations inherent in this great organization for the preservation of peace should be made clear to our citizens. We make a grave error to suppose that every international problem should be handled by the United Nations. Actually, this would neither be desirable nor practicable. The American Government, for example, is conducting negotiations continuously with every recognized government in the world on hundreds of subjects. Other governments are doing the same. The great majority of these matters are satisfactorily settled by mutual agreement between the parties directly concerned. Nothing would be gained and much would be lost by complicating the procedures of day-to-day negotiation by multiplying machinery where simple methods suffice.

Even in cases of international disputes the continuance of which might endanger the maintenance of peace and security—in other words, in matters of primary interest to the United Nations—the Charter enjoins the parties *first of all* to seek solution by negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, resort

to regional agencies or arrangements, or other peaceful means of their own choice. Clearly this means that parties to disputes should use such peaceful means in good faith and in a spirit of mutual accommodation. Recourse to United Nations agencies in such matters may constitute an abuse of the Charter if the purpose be merely to better a bargaining position, to obtain a larger forum for propaganda, or to create greater rather than less international friction. Ultimately, of course, the United Nations is there and should be freely used where a basis for agreement does not exist and action or advice of the United Nations is needed for the maintenance of good relations.

Those who would understand its functions must also be aware of the part which is to be played by the specialized agencies which are now being related to the United Nations under the general coordination of the Economic and Social Council. These agencies are designed to encourage international cooperation in specific fields; they are not, in general, agencies with extensive resources of their own or with direct responsibility for the execution of policy within the United Nations, although some have important operating functions. Some of them, such as the International Labor Organization, have long histories of accomplishment in the international field; others, such as the proposed International Trade Organization, to be considered at the forthcoming International Trade Conference in Habana in November of this year, are very young indeed. Others, such as the International Refugee Organization, are envisaged as temporary agencies to be disbanded when a particular job is done. The International Bank for Reconstruction and Development and the International Monetary Fund are agencies with direct operational responsibilities in a particular field.

I have touched upon these matters merely as reminders that an intelligent participation by the United States in the United Nations requires persistent effort by our citizens and by organizations such as yours. I will turn now to the relation between the United Nations and the foreign policy of the United States.

The President and other responsible Americans have on many occasions declared that support for the United Nations is the cornerstone of our foreign policy. On this we are a united people, without party or regional differences.

Our "fidelity to the United Nations"—to use the words of the President in his recent address to the Inter-American Conference at Rio—goes deep.³ Our faith in the United Nations has its roots in the basic moral values and spiritual aspirations of the American people. These aspirations of ours are identical with the purposes and principles of the Charter. The late President Roosevelt had this in mind when he spoke of freedom of speech and expression, freedom of worship, freedom from want, and freedom from fear—*everywhere* in the world.

How do we translate these general principles into practical terms? What precisely does our support for the United Nations mean?

First, it means that we ourselves must faithfully live up to our obligations under the Charter.

Second, it means that our public acts must be consistent with the Charter, whether they are carried out through the United Nations or through other means.

Third, it means that we must refer to the United Nations problems which have failed of solution by other peaceful means and which require solution under the Charter.

Fourth, it means that we must work persistently and loyally within the several organs and agencies within the United Nations toward the successful accomplishment of their assigned tasks.

Fifth, it means that we must seek to improve the procedures and machinery of the United Nations organization itself and to join with others in providing the resources which are necessary for its efficiency.

Sixth, it means that we must join with other members to make it unmistakably clear that aggression against the territorial integrity or political independence of others will be resisted by the combined efforts of the members of the United Nations.

Seventh, it means that we must exert every possible effort to conclude the remaining peace treaties, thereby creating the normal conditions under which the United Nations was designed to function. It is intended—that is, the United Nations—to maintain peace, not to make peace, after this war.

Eighth, it means that we join with others in

³ BULLETIN of Sept. 14, 1947, p. 498.

seeking to improve the world's economic situation, to bring about the economic conditions necessary to international stability.

These are clear rules for our conduct; in fact they accurately reflect our national policy.

We have heard in this country, particularly in recent months, expressions of concern about the future of the United Nations. I do not believe that it stems from lack of confidence in the possibilities of the United Nations organization or in its technical efficiency. This apprehension is caused rather by doubt as to whether all members are willing to adjust their national policies to the common interest of all humanity. This common interest is expressed in article after article of the Charter, enjoining its members to pursue in their international conduct the principles and purposes of the Charter. I can of course speak only for the United States. I have, I hope, made it clear that our national policies will continue to conform to these principles and purposes. Obviously, if all members do not similarly strive to meet their obligations under the Charter, the United Nations will be imperiled.

The forthcoming session of the General Assembly may begin a new phase in the life of the United Nations. During the course of this session, on October 24, the second anniversary of the coming into force of the Charter will be celebrated. These two years have, to a very considerable extent, been taken up with the work of organization and with the development of techniques and procedures. With the establishment of the Trusteeship Council in March and April of this year, the major organizational development of the United Nations was completed.

During these two years of birth and growth, governments and peoples have been slow to criticize and have shown commendable sympathy toward the initial efforts of this new world organization for peace and security. That initial period is coming to an end. Our work will now be subjected to more critical examination. Apprehension and anxiety over the future of the United Nations reflect insecurity about the aims and intentions of the members themselves. There is genuine danger that our hopes of two years ago will give way to skepticism.

The General Assembly is the forum in which this skepticism must be forestalled and the forum

in which our disagreements must be resolved. The great moral and political forces of the world must somehow be brought to bear with full effect through the General Assembly.

Within a few days' time the United States Delegation will be making a number of proposals to the General Assembly, which we believe will help to resolve some of the issues which are now disturbing good relations among nations. You will appreciate that presentation of these proposals must await the meeting of the Assembly. However, I believe you will be interested in two or three general considerations which bear upon our work in the coming General Assembly.

We are not unalterably opposed to every proposal for a revision of the Charter, although we believe that there is at the present time no need for major revisions of the Charter or for a change in the general character of the United Nations.

Many articles of the Charter have not yet been brought into play and given life and meaning by practical application. None of the principal organs has as yet fully exerted the authority and influence which are possible under the existing Charter. The members themselves as represented in the General Assembly have by no means exhausted the potentialities of the Charter in finding ways and means of overcoming obstruction and of meeting their common problems. While we might be willing to accept certain amendments to the Charter, we believe that rapid progress can be made in the immediate future within the general framework which we now have, and we shall ourselves make proposals for utilizing more fully existing machinery.

In the meantime, there are serious matters in the political and security field which require prompt action by the Assembly. We are particularly concerned with the aid and assistance which are being provided by Yugoslavia, Bulgaria, and Albania to the guerrillas in Greece—a direct threat to the territorial integrity and political independence of that country. We seek nothing in that situation but the protection of the Greek people which is their due under the Charter. We have no interest beyond the pacification of that troubled area. The solution must be the cessation of the threat—and we earnestly hope that the General Assembly will be able to devise means for accomplishing that end.

The matter of Palestine will be before the forth-

coming Assembly for solution. We believe that the techniques which have been used by the Assembly thus far in dealing with this question have been soundly conceived. After preliminary consideration, the General Assembly established a commission of representatives of disinterested states which has inquired into the problem and reported its conclusions and recommendations to the Assembly. We believe that it is of the greatest importance that every effort be made to obtain maximum agreement in the General Assembly on a solution for that problem and that the peoples directly concerned will accept the recommendations of the coming General Assembly as a basis for a definitive solution of this complex matter.

Throughout the General Assembly the United States Delegation will be motivated by a desire to develop the United Nations as the central organization for the maintenance of international peace and the promotion of international cooperation. We do not look upon it as a handy instrument for obtaining temporary national advantage. We have no desire to slip back upon the road to international anarchy out of which we have been hoping we are beginning to emerge. We look forward to the early admission into the United Nations of the remaining nations which might now be qualified for membership. If the United Nations is to serve the genuine self-interest of all members over the longer period and if it is to be, as suggested in article 1 of the Charter, a center for harmonizing the actions of nations, we believe that its world-wide membership must be preserved as far as possible in accordance with its original design.

It would be a sore, a tragic disappointment if experience should prove that the harmony which was achieved at San Francisco was only temporary. We find it difficult to believe that members of the organization would deliberately seek to destroy its structure by persistence in acts of aggression or by obstruction of a nature to paralyze the principal organs of the organization.

Our own attitude and sense of responsibility will have much to do with the success of the coming General Assembly. Under the pressure of our war effort we developed in this country a laudable impatience for obstacles which stood between us and the attainment of victory, obstacles which were removed by an application of astonishing energy, ingenuity, and singleness of purpose. The problems of peace require moral courage and stern determination, but they also demand patience and deliberation if we are to find a common agreement upon which a lasting peace can be found.

In reflecting upon our own experience, the American constitutional development, we find that even where we were one people and there were generally agreed objectives, a long time, much of forbearance, and a willingness to compromise were needed in building our great constitutional system. We believe that the peoples of the United Nations also have common basic purposes which provide the foundation for effective machinery for international cooperation. We should be neither surprised nor discouraged if time and great effort are required to move forward. We hope that the effort itself will produce increasing unanimity of purpose, a unanimity which will in turn make possible more effective international action.

U.S. Delegation to Second Session of U.N. General Assembly ¹

Representatives

The Honorable George C. Marshall, Secretary of State.²
The Honorable Warren R. Austin, United States Representative to the United Nations and Representative in the Security Council, Ambassador
The Honorable Herschel V. Johnson, Deputy United States Representative in the Security Council, Ambassador
The Honorable Mrs. Franklin D. Roosevelt
The Honorable John Foster Dulles

Alternate Representatives

The Honorable Charles Fahy
The Honorable Willard L. Thorp, United States Representative in the Economic and Social Council; Assistant Secretary of State for Economic Affairs
The Honorable Francis B. Sayre, United States Representative in the Trusteeship Council, Ambassador
The Honorable Adlai E. Stevenson
The Honorable Virginia C. Gildersleeve

Advisers

Theodore C. Achilles, Foreign Service Officer, Department of State
The Honorable Paul H. Alling, Minister of the United States to Syria
LaVerne Baldwin, Foreign Service Officer, Department of State
The Honorable Ralph A. Bard, Deputy United States Representative on the Commission for Conventional Armaments, United States Mission to the United Nations
Donald C. Blaisdell, Associate Chief, Division of International Security Affairs, Department of State
The Honorable Charles E. Bohlen, Counselor, Department of State
Phillip M. Burnett, Division of International Organization Affairs, Department of State
William I. Cargo, Division of Dependent Area Affairs, Department of State
The Honorable William Dawson, Special United States Representative on the Governing Board of the Pan American Union, Ambassador
Erle R. Dickover, Foreign Service Officer, Department of State
Dorothy Fosdick, Office of European Affairs, Department of State
William A. Fowler, Foreign Service Officer, Department of State
James Frederick Green, Associate Chief, Division of Dependent Area Affairs, Department of State

¹ US/A/INF/2, Sept. 4, 1947.

² When it is possible for him to attend, will serve as Senior United States Representative on the Delegation. In his absence, Ambassador Austin will serve as Senior United States Representative.

William O. Hall, Director, Office of Budget and Planning, Department of State

Admiral H. K. Hewitt, United States Navy, United States Representative on Military Staff Committee, United States Mission to the United Nations

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Secretary-General

Richard S. Winslow, Secretary-General, United States Mission to the United Nations

Current United Nations Documents: A Selected Bibliography¹

General Assembly

Transfer to the World Health Organization of Certain Assets of the United Nations. A/353, September 2, 1947. 4 pp. mimeo.

Draft Convention on the Crime of Genocide. Note by the Secretary-General. A/362, August 25, 1947. 23 pp. mimeo.

Report of the Security Council to the General Assembly, Covering the Period from 16 July 1946 to 15 July 1947. A/366, August 21, 1947. 204 pp. mimeo.

Voting Procedure in the Security Council. Note by the Secretary-General [transmitting communication from the President of the Security Council]. A/368, August 28, 1947. 1 p. mimeo.

Transfer to the United Nations of Functions and Powers Exercised by the League of Nations Under the International Convention of 30 September 1921 on Traffic in Women and Children, the Convention of 11 October 1933 on Traffic in Women of Full Age, and the Convention of 12 September 1923 on the Traffic in Obscene Publications. Resolution Adopted by the Economic and Social Council and Transmitted to the General Assembly by the Secretary-General. A/372, September 2, 1947. 10 pp. mimeo.

Treatment of Indians in the Union of South Africa. Report from the Government of India A/373, September 2, 1947. 18 pp. mimeo.

Trade Union Rights (Freedom of Association). Resolution adopted by the Economic and Social Council and transmitted to the General Assembly by the Secretary-General. A/374, September 2, 1947. 14 pp. mimeo.

Report of the Committee on Contributions. A/377, September 5, 1947. 6 pp. mimeo.

Official Records of the Second Session of the General Assembly. Supplement No. 6. Financial Report and Accounts . . . 31 December 1946 A/313, June 12, 1947. iv, 19 pp. printed [25 cents].

Series Symbols of Documents of the General Assembly. Prepared by the Documents Index Unit. A/INF/2/Rev.1, August 26, 1947. 9 pp. mimeo.

¹ Printed materials may be secured in the United States from the International Documents Service, Columbia University Press, 2960 Broadway, New York City. Other materials (mimeographed or processed documents) may be consulted at certain designated libraries in the United States. For further documents, see page 561.

Report to the General Assembly by the United Nations Special Committee on Palestine¹

PREFACE

The United States Delegation to the General Assembly will have continually in mind the basic purposes of the American people and will strive to give them effect. We seek at this Assembly not a United States success but a United Nations success. The latter will include the former since our objectives are the objectives of the Charter itself. We earnestly solicit your backing for this great effort in which we are now engaged.

The Special Committee has completed its task within the limited period of three months fixed by the General Assembly. This has entailed great pressure of work. Every effort has been made to avoid as far as possible unforgivable errors and lacunae. It may, however, be foreseen that defects will be discovered by those who have been studying the Palestine question for years.

The problem of Palestine is not one the solution of which will emerge from an accumulation of detailed information. If such had been the case, it would have been solved long ago. Few countries

have been the subject of so many general or detailed enquiries—official and unofficial—especially during the last decade. The problem is mainly one of human relationship and political rights. Its solution may only be reached through a correct appreciation of the situation as a whole and an endeavour to find a human settlement. In this respect the opinions of members of an international committee who represent various civilisations and schools of thought and have approached the question from different angles may be of some value.

While a majority and a minority plan are proposed for the settlement of the Palestine question, it must be noticed that both plans are derived from findings and principles most of which have been agreed to unanimously.

Such unanimity may assist the General Assembly in solving a question whose complexity and numerous aspects—some of them fraught with so much human tragedy—have frustrated all previous efforts.

INTRODUCTION

The present volume contains the Report and Recommendations submitted by the Special Committee on Palestine to the Second Session of the General Assembly of the United Nations. It comprises a preface, eight chapters, an appendix and a series of annexes.

The factual information presented in the first

four chapters is intended to illustrate the various phases of the Committee's work and to serve as a background to the problem with which it dealt.

Chapter I describes the origin and constitution of the Special Committee and summarises its activities in Lake Success, Jerusalem, Beirut and Geneva.

Chapter II analyses the basic geographic, demographic and economic factors, and reviews the history of Palestine under the Mandate. The Jewish and Arab claims are also set forth and appraised.

Chapter III deals with the particular aspect of Palestine as the Holy Land sacred to three world religions.

¹ Excerpts from U.N. doc. A/364 of Sept. 3, 1947, which was reproduced in New York from the original issued in Geneva under the symbol A/AC.13/82. The extracts printed in the BULLETIN are the introduction and the preface of the report together with texts of the recommendations; background information in the report and commentaries and explanations of the recommendations are not included.

Chapter IV consists of an analysis and recapitulation of the most important solutions put forward prior to the creation of the Committee or presented to it in oral or written evidence.

The following three chapters contain the recommendations and proposals which are the main result of the work of the Committee during its three months of activity.

In Chapter V eleven unanimous recommendations on general principles are put forward. A further recommendation of a similar nature,

which was adopted with two dissenting votes is also recorded.

Chapters VI and VII contain respectively a majority and a minority plan for the future government of Palestine, including provisions for boundaries.

The final Chapter provides a list of the reservations and observations by certain delegations on a number of specific points. The text of these reservations and observations will be found in the Appendix to the Report.

CHAPTER V. RECOMMENDATIONS (I)

Introductory Statement

1. The Committee held a series of informal discussions during its deliberations in Geneva as a means of appraising comprehensively the numerous aspects of the Palestine problem. In these discussions the members of the Committee debated at length and in great detail the various proposals advanced for its solution.

2. In the early stages of the discussions it became apparent that there was little support for either of the solutions which would take an extreme position, namely, a single independent state of Palestine, under either Arab or Jewish domination. It was clear, therefore, that there was no disposition in the Committee to support in full the official proposals of either the Arab States or the Jewish Agency as described in Chapter IV of this Report. It was recognized by all members that an effort must be made to find a solution which would avoid meeting fully the claims of one group at the expense of committing grave injustice against the other.

3. At its forty-seventh meeting on 27 August 1947, the Committee formally rejected both of the extreme solutions. In taking this action the Committee was fully aware that both Arabs and Jews advance strong claims to rights and interests in Palestine; the Arabs by virtue of being for centuries the indigenous and preponderant people there; the Jews by virtue of historical association with the country and international pledges made to them respecting their rights in it. But the Committee also realized that the crux of the Palestine problem is to be found in the fact that two sizeable groups, an Arab population of over

1,200,000 and a Jewish population of over 600,000, with intense nationalist aspirations, are diffused throughout a country that is arid, limited in area, and poor in all essential resources. It was relatively easy to conclude, therefore, that since both groups steadfastly maintain their claims, it is manifestly impossible, in the circumstances, to satisfy fully the claims of both groups, while it is indefensible to accept the full claims of one at the expense of the other.

4. Following the rejection of the extreme solutions in its informal discussions, the Committee devoted its attention to the bi-national state and cantonal proposals. It considered both, but the members who may have been prepared to consider these proposals in principle, were not impressed by the workability of either. It was apparent that the bi-national solution, though attractive in some of its aspects, would have little meaning unless provision were made for numerical or political parity between the two population groups, as provided for in the proposal of Dr. Magnes. This, however, would require the inauguration of complicated mechanical devices which are patently artificial and of dubious practicality.

5. The cantonal solution, under the existing conditions of Arab and Jewish diffusion in Palestine, might easily entail an excessive fragmentation of the governmental processes, and in its ultimate result would be quite unworkable.

6. Having thus disposed of the extreme solutions and the bi-national and cantonal schemes, the members of the Committee, by and large, manifested a tendency to move toward either partition qualified by economic unity, or a federal state plan. In due course the Committee estab-

lished two informal working groups, one on partition under a confederation arrangement and one on the federal state, for the purpose of working out the details of the two plans, which in their final form are presented in Chapters VI and VII of this Report, with the names of the members who supported them.

7. As a result of the work done in these working groups, a substantial measure of unanimity with regard to a number of important issues emerged, as evidenced in the forty-seventh meeting of the Committee. On the basis of this measure of agreement, a drafting subcommittee was appointed to formulate specific texts.

8. In the course of its forty-ninth meeting on 29 August 1947, the Committee considered the report of the drafting subcommittee, and unanimously approved eleven Recommendations to the General Assembly, the texts of which are set forth in Section A of this Chapter. A twelfth Recommendation, with which the representatives of Guatemala and Uruguay were not in agreement, appears in Section B.

Section A: Recommendations Approved Unanimously

Recommendation I: Termination of the Mandate.

IT IS RECOMMENDED THAT

The Mandate for Palestine shall be terminated at the earliest practicable date.

Recommendation II: Independence.

IT IS RECOMMENDED THAT

Independence shall be granted in Palestine at the earliest practicable date.

Recommendation III: Transitional Period.

IT IS RECOMMENDED THAT

There shall be a transitional period preceding the grant of independence in Palestine which shall be as short as possible, consistent with the achievement of the preparations and conditions essential to independence.

Recommendation IV: United Nations Responsibility During Transitional Period.

IT IS RECOMMENDED THAT

During the transitional period the authority entrusted with the task of administering Palestine and preparing it for independence shall be responsible to the United Nations.

Recommendation V: Holy Places and Religious Interests

IT IS RECOMMENDED THAT

In whatever solution may be adopted for Palestine

A. The sacred character of the Holy Places shall be preserved and access to the Holy Places for purposes of worship and pilgrimage shall be ensured in accordance with existing rights, in recognition of the proper interest of millions of Christians, Jews and Moslems abroad as well as the residents of Palestine in the care of sites and buildings associated with the origin and history of their faiths.

B. Existing rights in Palestine of the several religious communities shall be neither impaired nor denied, in view of the fact that their maintenance is essential for religious peace in Palestine under conditions of independence.

C. An adequate system shall be devised to settle impartially disputes involving religious rights as an essential factor in maintaining religious peace, taking into account the fact that during the Mandate such disputes have been settled by the Government itself which acted as an arbiter and enjoyed the necessary authority and power to enforce its decisions.

D. Specific stipulations concerning Holy Places, religious buildings or sites and the rights of religious communities shall be inserted in the constitution or constitutions of any independent Palestinian state or states which may be created.

Recommendation VI: Jewish Displaced Persons

IT IS RECOMMENDED THAT

The General Assembly undertake immediately the initiation and execution of an international arrangement whereby the problem of the distressed European Jews, of whom approximately 250,000 are in assembly centers, will be dealt with as a matter of extreme urgency for the alleviation of their plight and of the Palestine problem.

Recommendation VII: Democratic Principles and Protection of Minorities

IT IS RECOMMENDED THAT

In view of the fact that independence is to be granted in Palestine on the recommendation and under the auspices of the United Nations, it is a proper and an important concern of the United Nations that the constitution or other fundamental

law as well as the political structure of the new state or states shall be basically democratic, i. e., representative, in character, and that this shall be a prior condition to the grant of independence. In this regard, the constitution or other fundamental law of the new state or states shall include specific guarantees respecting

a. human rights and fundamental freedoms, including freedom of worship and conscience, speech, press and assemblage, the rights of organized labor, freedom of movement, freedom from arbitrary searches and seizures, and rights of personal property; and

b. full protection for the rights and interests of minorities, including the protection of the linguistic, religious and ethnic rights of the peoples and respect for their cultures, and full equality of all citizens with regard to political, civil and religious matters.

Recommendation VIII: Peaceful Relations

IT IS RECOMMENDED THAT

It shall be required, as a prior condition to independence, to incorporate in the future constitutional provisions applying to Palestine those basic principles of the Charter of the United Nations whereby a state shall

a. undertake to settle all international disputes in which it may be involved by peaceful means in such a manner that international peace and security, and justice, are not endangered; and

b. accept the obligation to refrain in its international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any manner inconsistent with the purposes of the United Nations.

Recommendation IX: Economic Unity

IT IS RECOMMENDED THAT

In appraising the various proposals for the solution of the Palestine question, it shall be ac-

cepted as a cardinal principle that the preservation of the economic unity of Palestine as a whole is indispensable to the life and development of the country and its peoples.

Recommendation X: Capitulations

IT IS RECOMMENDED THAT

States whose nationals have in the past enjoyed in Palestine the privileges and immunities of foreigners, including the benefits of consular jurisdiction and protection as formerly enjoyed by capitulation or usage in the Ottoman Empire, be invited by the United Nations to renounce any right pertaining to them to the re-establishment of such privileges and immunities in an independent Palestine.

Recommendation XI: Appeal Against Acts of Violence

IT IS RECOMMENDED THAT

The General Assembly shall call on the peoples of Palestine to extend their fullest cooperation to the United Nations in its effort to devise and put into effect an equitable and workable means of settling the difficult situation prevailing there, and to this end, in the interest of peace, good order, and lawfulness, to exert every effort to bring to an early end the acts of violence which have for too long beset that country.

Section B: Recommendation Approved by Substantial Majority¹

Recommendation XII: The Jewish Problem in General

IT IS RECOMMENDED THAT

In the appraisal of the Palestine question, it be accepted as incontrovertible that any solution for Palestine cannot be considered as a solution of the Jewish problem in general.

CHAPTER VI. RECOMMENDATIONS (II)

1. The Committee, sitting informally as a means of facilitating its deliberations on specific proposals, informally set up two small working groups to explore specific proposals with regard to a plan of partition involving economic union. One of these groups was known as the Working Group on Constitutional Matters, and the other was the Working Group on Boundaries.

2. The Working Group on Constitutional Matters, consisting of Mr. Sandstroem, Mr. Blom, Mr. Granados, and Mr. Rand, in a series of informal meetings, formulated a plan of partition with provisions for economic unity and constitutional guar-

¹Two members of the Committee dissented from this recommendation and one recorded no opinion.

antees, which was subsequently discussed and completed in joint discussions of these two working groups.

3. In the course of the forty-seventh meeting of the Committee on 27 August 1947, seven members of the Committee (Canada, Czechoslovakia, Guatemala, Netherlands, Peru, Sweden and Uruguay), expressed themselves, by recorded vote, in favour of the Plan of Partition with economic union, presented by the Working Group on Constitutional Matters.

4. The Plan of Partition with Economic Union is herewith reproduced. It consists of the following three parts:

- Part I. Partition With Economic Union
- Part II. Boundaries
- Part III. City of Jerusalem

Part I. Plan on Partition With Economic Union: Recommendations

A. Partition and Independence

1. Palestine within its present borders, following a transitional period of two years from 1 September 1947, shall be constituted into an independent Arab State, an independent Jewish State, and the City of Jerusalem, the boundaries of which are respectively described in Parts II and III below.

2. Independence shall be granted to each State upon its request only after it has adopted a constitution complying with the provisions of B, 4 below, made to the United Nations a declaration containing certain guarantees and signed a treaty creating the Economic Union of Palestine and establishing a system of collaboration between the two States and the City of Jerusalem.

B. Transitional Period and Constitution

1. During the transitional period, the present Mandatory Power shall:

(a) Carry on the administration of the territory of Palestine under the auspices of the United Nations and on such conditions and under such supervision as may be agreed upon between the United Kingdom and the United Nations, and if so desired, with the assistance of one or more Members of the United Nations;

(b) Take such preparatory steps as may be necessary for the execution of the scheme recommended;

(c) Carry out the following measures:

(1) Admit into the borders of the proposed Jewish State 150,000 Jewish immigrants at a uniform monthly rate, 30,000 of whom on humanitarian grounds. Should the transitional period continue for more than two years, Jewish immigration shall be allowed at the rate of 60,000 per year. The responsibility for the selection and care of Jewish immigrants and for the organizing of Jewish immigration during the transitional period shall be placed in the Jewish Agency.

(2) The restrictions introduced by land regulations issued by the Palestinian Administration under the authority of the Palestine (Amendment) Order-in-Council of 25 May 1939 will not apply to the transfer of land within the borders of the proposed Jewish State.

2. Constituent assemblies shall be elected by the populations of the areas which are to comprise the Arab and Jewish States, respectively. The electoral provisions shall be prescribed by the Power administering the territory. Qualified voters for each State for this election shall be persons over twenty years of age who are: a) Palestinian citizens residing in that State and b) Arabs and Jews residing in the State, although not Palestinian citizens, who, before voting, have signed a notice of intention to become citizens of such State.

Arabs and Jews residing in the City of Jerusalem who have signed a notice of intention to become citizens, the Arabs of the Arab State and the Jews of the Jewish State, shall be entitled to vote in the Arab and Jewish States, respectively.

Women may vote and be elected to the constituent assemblies.

3. During the transitional period, no Jew shall be permitted to establish residence in the area of the proposed Arab State, and no Arab shall be permitted to establish residence in the area of the proposed Jewish State, except by special leave of the Administration.

4. The constituent assemblies shall draw up the constitutions of the States, which shall embody Chapters I and II of the Declaration provided for in C. below, and include *inter alia* provisions for:

(a) establishing in each State a legislative body elected by universal suffrage and by secret ballot on the basis of proportional representation, and an executive body responsible to the legislature.

(b) settling all international disputes in which the State may be involved by peaceful means in such a manner that international peace and security, and justice, are not endangered.

(c) accepting the obligation of the State to refrain in its international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations.

(d) guaranteeing to all persons equal and non-discriminatory rights in civil, political and religious matters and the enjoyment of human rights and fundamental freedoms, including freedom of religious worship, language, speech and publication, education, assembly and association.

(e) preserving freedom of transit and visit for all residents and citizens of the other State in Palestine and the City of Jerusalem, subject to security considerations; provided that each State shall control residence within its borders.

(f) recognize the rights of the Governor of the City of Jerusalem to determine whether the provisions of the constitution of the States in relation to Holy Places, religious buildings and sites within the borders of the States and the religious rights appertaining thereto, are being properly applied and respected and to make decisions in cases of disputes which may arise with respect to such Places, buildings and sites; also accord full cooperation to him and such privileges and immunities as are necessary for the exercise of his functions in those States.

5. The constituent assembly in each State shall appoint a provisional government empowered to make the Declaration and sign the Treaty of Economic Union, provided for in C. and D. below.

On making the Declaration and signing the Treaty of Economic Union by either State and upon approval of such instruments as being in compliance with these recommendations by the General Assembly of the United Nations, its independence as a sovereign State shall be recognized.

If only one State fulfills the foregoing conditions, that fact will forthwith be communicated to the United Nations for such action by its General Assembly as it may deem proper. Pending such action, the régime of Economic Union as recommended shall apply.

C. Declaration

A Declaration shall be made to the United Nations by the Provisional Government of each proposed State before the interim administration is brought to an end. It shall contain *inter alia* the following clauses:

GENERAL PROVISION

The stipulations contained in the Declaration are recognized as fundamental laws of the State and no law, regulation or official action shall conflict or interfere with these stipulations, nor shall any law, regulation or official action prevail over them.

CHAPTER I. HOLY PLACES, RELIGIOUS BUILDINGS AND SITES

1. Existing rights in respect of Holy Places and religious buildings or sites shall not be denied or impaired.

2. Free access to the Holy Places and religious buildings or sites and the free exercise of worship shall be secured in conformity with existing rights and subject to the requirements of public order and decorum.

3. Holy Places and religious buildings or sites shall be preserved. No act shall be permitted which may in any way impair their sacred character. If at any time it appears to the Government that any particular Holy Place, religious building or site is in need of urgent repair, the Government shall call upon the community or communities concerned to carry out such repair. The Government may carry it out itself at the expense of the community or communities concerned, if no action is taken within a reasonable time.

4. No taxation shall be levied in respect of any Holy Place, religious building or site which was exempt from taxation on the date of the creation of the State.

5. The Governor of the City of Jerusalem shall have the right to determine whether the provisions of the Constitution of the State in relation to Holy Places, religious buildings and sites within the borders of the State and the religious rights appertaining thereto, are being properly applied and respected and to make decisions in cases of disputes which may arise with respect to such Places, buildings, and sites. He shall receive full cooperation and such privileges and immunities as are necessary for the exercise of his functions in the State.

CHAPTER II. RELIGIOUS AND MINORITY RIGHTS

1. Freedom of conscience and the free exercise of all forms of worship, subject only to the maintenance of public order and morals, shall be ensured to all. No discrimination of any kind shall be made between the inhabitants on the ground of race, religion or language.

2. The family law and personal status of the various minorities and their religious interests, including endowments, shall be respected.

3. Except as may be required for the maintenance of public order and good government, no measure shall be taken to obstruct or interfere with the enterprise of religious or eleemosynary bodies of any faith or to discriminate against any representative or member of them on the ground of his religion or nationality.

4. The State shall ensure adequate primary and secondary education for the Arab and Jewish minority, respectively, in its own language and its cultural traditions.

The right of each community to maintain its own schools for the education of its own members in its own language, while conforming to such educational requirements of a general nature as the State may impose, shall not be denied or impaired.

5. No restriction shall be imposed on the free use by any citizen of the State of any language in private intercourse, in commerce, in religion, in the press or in publications of any kind, or at public meetings.³

6. No expropriation of land owned by an Arab in the Jewish State [by a Jew in the Arab State]⁴ shall be allowed except for public purposes unless the land, suitable for agricultural purposes, has remained uncultivated and unused for not less than one year after written notice of utilization thereof given and upon an order made by the Supreme Court of the respective State approving

³The following stipulation shall be added to the Declaration concerning the Jewish State: "In the Jewish State adequate facilities shall be given to Arabic-speaking citizens for the use of their language, either orally or in writing, in the legislature, before the Courts and in the administration.

⁴In the Declaration concerning the Arab State, the words "by an Arab in the Jewish State" should be replaced by the words: "by a Jew in the Arab State."

the expropriation on the grounds of absence of sufficient reasons for the non-utilization thereof. In all cases of expropriation full compensation as fixed by the Supreme Court, shall be paid previous to dispossession.

CHAPTER III.

1. *Citizenship.* Palestinian citizens, as well as Arabs and Jews who, not holding Palestinian citizenship, reside in Palestine, shall, upon the recognition of independence, become citizens of the State in which they are resident or, if resident in the City of Jerusalem, who sign a notice of intention provided in B, 2 above, of the State mentioned in such notice with full civil and political rights, provided that they do not exercise the option mentioned hereafter. Such persons, if over 18 years of age, may option within one year for the citizenship of the other State or declare that they retain the citizenship of any State of which they are citizens, and if they exercise this option it will be taken to include their wives and children under 18 years of age; provided that no person who has signed the notice of intention referred to in B, 2 above shall have the right of option.

2. *International Conventions.* The State shall be bound by all the international agreements and conventions, both general and special, to which Palestine has become a party. Subject to any right of denunciation provided for therein, such agreements and conventions shall be respected by the State throughout the period for which they were concluded.

3. *Financial Obligations.* The State shall respect and fulfill all financial obligations of whatever nature assumed on behalf of Palestine by the Mandatory Power, until its independence is recognized, including the rights of public servants to pensions, compensation or gratuities, to be negotiated where necessary with the government of the United Kingdom.

Commercial concessions heretofore granted in respect of any part of Palestine shall continue to be valid according to their terms, unless modified by agreement between the Parties.

CHAPTER IV.

1. The provisions of Chapters I and II of this Declaration shall be under the guarantee of the United Nations and no modifications shall be made in them without the assent of the General

Assembly of the United Nations. Any Member of the United Nations shall have the right to bring to the attention of the General Assembly any infraction or danger of infraction of any of these stipulations, and the General Assembly may thereupon make such recommendations as it may deem proper in the circumstances.

2. Any dispute relating to the application or the interpretation of this Declaration shall be referred, at the request of either Party, to the International Court of Justice, unless the parties agree to another mode of settlement.

D. Economic Union

A treaty shall be entered into between the two States and signed simultaneously with the Declaration provided for in C. above. The treaty will be binding at once without ratifications. It shall contain provisions to establish the Economic Union of Palestine and to provide for other matters of common interest.

1. THE ECONOMIC UNION OF PALESTINE

The objectives of the Economic Union of Palestine shall be:

- (a) A Customs Union.
- (b) A common currency.
- (c) Operation in the common interest of railways, interstate highways, postal, telephone and telegraphic services, and the Ports of Haifa and Jaffa.
- (d) Joint economic development, especially in respect of irrigation, land reclamation and soil conservation.

There shall be established a Joint Economic Board, which shall consist of three representatives of each of the two States and three foreign members appointed by the Economic and Social Council of the United Nations in the first instance for a term of three years.

The functions of the Joint Economic Board shall be to organize and administer, either directly or by delegation, the objectives of the Economic Union.

The States shall bind themselves to put into effect the decisions of the Joint Economic Board. The Board's decisions shall be taken by a majority vote.

In relation to economic development, the functions of the Board shall be the planning, investigation and encouragement of joint development projects, but it shall not undertake such projects

except with the assent of both States and the City of Jerusalem.

There shall be a common customs tariff with complete freedom of trade between the States and the City of Jerusalem.

The tariff schedules shall be drawn up by a Tariff Commission consisting of representatives of each of the States in equal numbers. In case of disagreement or failure to approve any tariff schedule by a date to be fixed, the matter shall be settled by the arbitration of the Joint Economic Board.

The following items shall be a first charge on the customs revenue:

- (a) The expenses of the customs service;
- (b) The administrative expenses of the Joint Economic Board;
- (c) The financial obligations of the Administration of Palestine consisting of:
 - (i) The service of the outstanding public debt,
 - (ii) The cost of superannuation benefits, now being paid or falling due in future.

After these obligations have been met in full, the surplus revenue from the customs and other common services shall be divided in the following manner: not less than 5% and not more than 10% to the City of Jerusalem and the residue in equal proportion to the Jewish and Arab States. After a period of three years, the division shall be reviewable by the Joint Economic Board which shall make such modifications as may be deemed necessary.

All international conventions and treaties affecting customs tariffs, communications and commercial matters generally, shall be entered into by both States.

2. FREEDOM OF TRANSIT AND VISIT

The Treaty shall contain provisions preserving freedom of transit and visit for all residents or citizens of both States and of the City of Jerusalem, subject to security considerations; provided that each State and the City shall control residence within their borders.

3. TERMINATION, MODIFICATION AND INTERPRETATION OF TREATY

The Treaty shall remain in force for a period of ten years, and it shall continue in force until notice

of termination to take effect two years thereafter is given by either of the parties and such termination assented to by the General Assembly of the United Nations.⁵

During the initial ten-year period, the Treaty may not be modified except by consent of both parties and with the approval of the General Assembly.⁶

Any dispute relating to the application or the interpretation of the Treaty shall be referred, at the request of either Party, to the International Court of Justice, unless the parties agree to another mode of settlement.

E. Assets

The movable assets of the Administration of Palestine shall be allocated to the Arab and Jewish States and the City of Jerusalem on an equitable basis. Immovable assets shall become the property of the government in the territory of which they are situated.

F. Admission to Membership in the United Nations

Upon the recognition of the independence of the Arab and Jewish States, respectively, sympathetic consideration should be given to their application for admission to membership in the United Nations, in accordance with Article 4 of the Charter of the United Nations.

Part II. Boundaries

Definition

The plan envisages the division of Palestine into 3 parts: an Arab State, a Jewish State and the City of Jerusalem. The proposed Arab State will include western Galilee, the hill country of Samaria and Judea with the exclusion of the City of Jerusalem, and the coastal plain from Isdud to the Egyptian frontier. The proposed Jewish State will include eastern Galilee, the Esdraelon plain, most of the Coastal Plain, and the whole

⁵ A number of members of the Committee held the view that, at the end of the ten-year period, parties should be free to terminate the Treaty without the interference of the General Assembly.

⁶ A number of members of the Committee proposed to add here: "Thereafter modifications may be made by agreement of the two States but no such modification shall remove from the Treaty any of the objectives of the Economic Union without the assent of the General Assembly of the United Nations."

of the Beersheba sub-district, which includes the Negeb.

The three sections of the Arab State and the three sections of the Jewish State are linked together by two points of intersection, of which one is situated south-east of Afula in the sub-district of Nazareth and the other north-east of El Majdal in the sub-district of Gaza.

The Arab State

Western Galilee is bounded on the west by the Mediterranean and in the north by the frontier of the Lebanon from Ras en Naqura to Qadas; on the east the boundary starting from Qadas passes southwards, west of Safad to the south-western corner of the Safad sub-district; thence it follows the western boundary of the Tiberias sub-district to a point just east of Mount Tabor; thence southwards to the point of intersection south-east of Afula mentioned above. The south-western boundary of Western Galilee takes a line from this point, passing south of Nazareth and Shafr Amr, but north of Beit Lahm, to the coast just south of Acre.

The boundary of the hill country of Samaria and Judea starting on the Jordan River south-east of Beisan follows the northern boundary of the Samaria district westwards to the point of intersection south-east of Afula, thence again westwards to Lajjun, thence in a south-western direction, passing just west of Tulkarm, east of Qalqilia and west of Majdal Yaba, thence bulging westwards towards Rishon-le-Zion so as to include Lydda and Ramle in the Arab State, thence turning again eastwards to a point west of Latrun, thereafter following the northern side of the Latrun-Majdal road to the second point of intersection, thence south-eastwards to a point on the Hebron sub-district boundary south of Qubeiba, thence following the southern boundary of the Hebron sub-district to the Dead Sea.

The Arab section of the coastal plain runs from a point a few miles north of Isdud to the Egyptian frontier extending inland approximately eight kilometers.

The Jewish State

The north-eastern sector of the proposed Jewish State (Eastern Galilee) will have frontiers with the Lebanon in the north and west and with Syria and Transjordan on the east and will include the

whole of the Huleh basin, Lake Tiberias and the whole of the Beisan sub-district. From Beisan the Jewish State will extend northwest following the boundary described in respect of the Arab State.

The Jewish sector on the coastal plain extends from a point south of Acre to just north of Isdud in the Gaza sub-district and includes the towns of Haifa, Tel-Aviv and Jaffa. The eastern frontier of the Jewish State follows the boundary described in respect of the Arab State.

The Beersheba area includes the whole of the Beersheba sub-district, which includes the Negeb and the eastern part of the Gaza sub-district south of the point of intersection. The northern boundary of this area, from the point of intersection, runs south-eastwards to a point on the Hebron sub-district boundary south of Qubeiba, thence follows the southern boundary of the Hebron sub-district to the Dead Sea.

The City of Jerusalem

The boundaries of the City of Jerusalem are as defined in the recommendations on the City of Jerusalem.

Part III. City of Jerusalem: Recommendations

1. The City of Jerusalem shall be placed under an International Trusteeship System by means of a Trusteeship Agreement which shall designate the United Nations as the Administering Authority in accordance with Article 81 of the Charter of the United Nations.

2. The City of Jerusalem shall include the present municipality of Jerusalem plus the surrounding villages and towns, the most eastern of which to be Abu Dir; the most southern Bethlehem; the most western Ein Karim and the most northern Shu'fat, as indicated on the attached sketch-map.⁷

3. The Trusteeship Agreement in respect of the Holy Places, religious buildings and sites, and minorities shall contain provisions similar to those contained in Chapters I and II of the Declaration in the Plan of Partition with Economic Union. It shall also include *inter alia* the provisions set forth below:

(1) The City of Jerusalem shall be demilitarized and its neutrality shall be declared and preserved and no paramilitary formations, exercises or activities shall be permitted within its borders.

(2) Persons residing in the City of Jerusalem, without distinction as to ethnic origin, sex, language or religion, shall be ensured protection under its laws with regard to the enjoyment of human rights and fundamental freedoms, including freedom of worship, language, speech and publication, education, assembly and association.

(3) Residents of the City of Jerusalem, irrespective of nationality, may participate in the local elections of the City and they shall be subject to the jurisdiction of the City in respect of taxation and judicial proceedings.

(4) A Governor of the City of Jerusalem shall be appointed by the Trusteeship Council. He shall be neither Arab nor Jew nor a citizen of the Palestine States nor, at the time of appointment, a resident of the City of Jerusalem.

(5) In addition to the Governor, there shall be such other executive, legislative and judicial organs, bodies and offices for the government of the City as may be determined in the Trusteeship Agreement.

(6) The Governor, as chief administrative official of the City, shall be responsible, in such manner as the Trusteeship Agreement shall prescribe, for the conduct of the administration of the City. With relation to the Holy Places, religious buildings and sites in any part of Palestine, other than the City of Jerusalem, he shall determine whether the provisions of the constitution of the Arab and Jewish States in Palestine dealing therewith and the religious rights appertaining thereto are being properly applied and respected. The protection of all such places, buildings and sites located in the City of Jerusalem shall be a special concern of his office. He shall also be empowered to make decisions on the basis of existing rights in cases of disputes which may arise between the different communities in respect of such Holy Places, religious buildings and sites in any part of Palestine.

(7) Should the administration of the City of Jerusalem be seriously obstructed or prevented by the non-cooperation or interference of one or more sections of the population, the Governor shall have authority to take such measures as may be necessary to restore the effective functioning of the administration.

(8) The City of Jerusalem shall guarantee free transit and visit to residents of the Arab and

⁷ Not included in doc. A/364.

Jewish States in Palestine, subject only to security considerations.

(9) The protection of the Holy Places, religious buildings and sites in the City of Jerusalem shall be entrusted to a special police force, the members of which shall be recruited outside of Palestine

and shall be neither Arab nor Jew. The Governor shall be empowered to direct such budgetary provision as may be necessary for the maintenance of this special force.

(10) The City of Jerusalem should be included in the Economic Union of Palestine.

CHAPTER VII. RECOMMENDATIONS (III)

1. In the course of the informal meetings of the Committee to explore solutions, a working group on the federal state proposal was set up, consisting of Sir Abdur Rahman, Mr. Entezam, Mr. Simic, and Mr. Atyeo.

2. The Working Group on the Federal State Solution formulated a comprehensive proposal along these lines which was voted upon and supported by three members (India, Iran, and Yugoslavia) at the forty-seventh meeting of the Committee on 27 August 1947.

3. The Federal State Plan is herewith reproduced.

Federal State Plan: Recommendations

The undersigned representatives of India, Iran and Yugoslavia, not being in agreement with the recommendation for partition formulated by the other members of the Committee, and for the reasons, among others, stated above,^a present to the General Assembly the following recommendations which, in their view, constitute the most suitable solution to the problem of Palestine.

I. The Independent State of Palestine

IT IS RECOMMENDED THAT

1. The peoples of Palestine are entitled to recognition of their right to independence and an independent federal state of Palestine shall be created following a transitional period not exceeding three years.

2. With regard to the transitional period, responsibility for administering Palestine and preparing it for independence under the conditions herein prescribed shall be entrusted to such authority as may be decided upon by the General Assembly.

3. The independent federal state of Palestine shall comprise an Arab state and a Jewish state.

^a Not printed.

4. In delimiting the boundaries of the Arab and Jewish states, respectively, consideration shall be given to anticipated population growth.

5. During the transitional period a constituent assembly shall be elected by the population of Palestine which shall formulate the constitution of the independent federal state of Palestine. The authority entrusted by the General Assembly with responsibility for administering Palestine during the transitional period shall convene the constituent assembly on the basis of electoral provisions which shall ensure the fullest possible representation of the population, provided that all adult persons who have acquired Palestinian citizenship as well as all Arabs and Jews who, though non-citizens, may be resident in Palestine and who shall have applied for citizenship in Palestine not less than three months before the date of the election, shall be entitled to vote therein.

6. The attainment of independence by the independent federal state of Palestine shall be declared by the General Assembly of the United Nations as soon as the authority administering the territory shall have certified to the General Assembly that the constituent assembly referred to in the preceding paragraph has adopted a constitution incorporating the provisions set forth in Chapter II below.

II. Outline of the Structure and Required Provisions in the Constitution of Palestine

(The provisions set forth in this chapter are not designed to be the constitution of the new independent federal state of Palestine. The intent is that the constitution of the new state, as a condition for independence, shall be required to include, *inter alia*, the substance of these provisions.)

IT IS RECOMMENDED THAT

As a condition prior to the grant of independence, the constitution of the proposed independent

federal state of Palestine shall include, in substance, the following provisions:

1. The governmental structure of the independent federal state of Palestine shall be federal and shall comprise a federal government and the governments of the Arab and Jewish states respectively.

2. Among the organs of government there shall be a head of state and an executive body, a representative federal legislative body, a federal court and such other subsidiary bodies as may be deemed necessary.

3. The federal legislative body shall be composed of two chambers.

4. Election to one chamber of the federal legislative body shall be on the basis of proportional representation of the population as a whole.

5. Election of members to the other chamber of the federal legislative body shall be on the basis of equal representation of the Arab and Jewish citizens of Palestine.

6. The federal legislative body shall be empowered to legislate on all matters entrusted to the federal government.

7. Legislation shall be enacted when approved by majority votes in both chambers of the federal legislative body.

8. In the event of disagreement between the two chambers with regard to any proposed legislation, the issue shall be submitted to an arbitral body which shall be composed of one representative from each chamber of the federal legislative body, the head of state, and two members, other than members of the federal court, designated by that court for this purpose, which members shall be so designated by the court with regard to Arabs and Jews as to ensure that neither the Arab nor the Jewish community shall have less than two members on the arbitral body. This arbitral body shall first attempt to resolve the disagreement by mediation, but in the event mediation fails the arbitral body shall be empowered to make a final decision which shall have the force of law and shall be binding.

9. The head of the independent federal state of Palestine shall be elected by a majority vote of the members of both chambers of the federal legislative body sitting in a joint meeting convened for this purpose, and shall serve for such term as the constitution may determine.

10. The powers and functions of the head of the independent federal state of Palestine shall be as determined by the constitution of that state.

11. A deputy head of state shall be similarly elected, who shall be a representative of the community other than that with which the head of state provided for in Article 9 above is identified. The deputy head of state in his regular activities and during the absence of the head of state, for whom he shall act, shall exercise such powers as may be delegated to him by the head of state, and he shall also act with full powers, for the head of state in case of his incapacity, or following his death, pending the election of a new head of state.

12. The executive branch of the federal government shall be responsible to the federal legislative body.

13. A federal court shall be established which shall be the final court of appeal with regard to constitutional matters.

14. The federal court shall have a minimum membership of four Arabs and three Jews.

15. The members of the federal court shall be elected at a joint session of both chambers of the federal legislative body for such terms and subject to such qualifications as the constitution may prescribe.

16. The federal court shall be empowered to decide

(a) whether laws and regulations of the federal and state governments are in conformity with the constitution;

(b) cases involving conflict between the laws and regulations of the federal government and laws and regulations of the state governments;

(c) all other questions involving an interpretation of the constitution; and

(d) such other matters as may be placed within its competence by the constitution.

17. All decisions of the federal court shall be final.

18. Full authority shall be vested in the federal government with regard to national defense, foreign relations, immigration, currency, taxation for federal purposes, foreign and inter-state waterways, transport and communications, copyrights and patents.

19. The constitution shall forbid any discriminatory legislation, whether by federal or state governments, against Arabs, Jews or other population

groups, or against either of the states; and shall guarantee equal rights and privileges for all minorities, irrespective of race or religion.

20. The constitution, having regard for the customs of the people, shall be based on the principle of the full equality of all citizens of Palestine with regard to the political, civil and religious rights of the individual, and shall make specific provision for the protection of linguistic, religious, and ethnic rights of the peoples and respect for their cultures.

21. The constitution shall include specific guarantees respecting freedom of conscience, speech, press and assemblage, the rights of organized labour, freedom of movement, freedom from arbitrary searches and seizures, and rights of personal property.

22. The constitution shall guarantee free access to Holy Places, protect religious interests, and ensure freedom of worship and of conscience to all, provided that the traditional customs of the several religions shall be respected.

23. Arabic and Hebrew shall be official languages in both the federal and state governments.

24. The constitution shall include provisions which shall

(a) undertake to settle all international disputes in which the state may be involved by peaceful means in such a manner that international peace and security, and justice, are not endangered; and

(b) accept the obligation of the state to refrain in its international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any manner inconsistent with the purposes of the United Nations.

25. There shall be a single Palestinian nationality and citizenship, which shall be granted to Arabs, Jews and others on the basis of such qualifications and conditions as the constitution and laws of the federal state may determine and equally apply.

26. The Arab state and the Jewish state shall enjoy full powers of local self-government, and may institute such representative forms of government, adopt such local constitutions and issue such local laws and regulations as they may deem desir-

able, subject only to the provisions of the federal constitution.

27. Each state government shall have authority, within its borders, over education, taxation for local purposes, the right of residence, commercial licenses, land permits, grazing rights, interstate migration, settlement, police, punishment of crime, social institutions and services, public housing, public health, local roads, agriculture and local industries, and such aspects of economic activities and such other authority as may be entrusted to the states by the constitution.

28. Each state shall be entitled to organize a police force for the maintenance of law and order.

29. The constitution shall provide for equitable participation of the representatives of both communities in delegations to international organizations and conferences, and on all boards, agencies, bureaus or *ad hoc* bodies established under the authority of the state.

30. The independent federal state of Palestine shall accept as binding all international agreements and conventions, both general and specific, to which the territory of Palestine has previously become a party by action of the Mandatory Power acting on its behalf. Subject to such right of denunciation as may be provided therein, all such agreements and conventions shall be respected by the independent federal state of Palestine.

31. The constitution shall make provision for its method of amendment, provided that it shall be accepted as a solemn obligation undertaken by the independent federal state of Palestine to the United Nations not to alter the provisions of any part of the constitution or the constitution as a whole in such manner as to nullify the provisions herein stated as a prior condition to independence, except by the assent of a majority of both the Arab and Jewish members of the federal legislative body.

III. *Boundaries of the Arab and Jewish States in the Independent Federal State of Palestine*

IT IS RECOMMENDED THAT

The boundaries of the respective Arab and Jewish states in the independent federal state of Palestine shall be as indicated on the map attached to this report as Annex I.⁹

IV. *Capitulations*

IT IS RECOMMENDED THAT

The General Assembly of the United Nations

⁹ Not included in doc. A/304.

shall invite all states whose nationals have in the past enjoyed in Palestine the privileges and immunities of foreigners, including the benefits of consular jurisdiction and protection as formerly enjoyed by capitulations or usage in the Ottoman Empire, to renounce any right pertaining to them to the re-establishment of such privileges and immunities in the independent federal state of Palestine.

V. *The Holy Places, Religious Interests and Jerusalem*

A. RELIGIOUS INTERESTS AND HOLY PLACES

IT IS RECOMMENDED THAT

Since the Holy Places, buildings and sites appertaining to whatever religions and wherever located in Palestine must be recognized as of special and unique interest and concern to the international community, the following principles and measures should be fully safeguarded as a condition for the establishment of the independent federal state of Palestine.

1. Millions of Christians, Jews and Moslems abroad, as well as the inhabitants of Palestine, have a proper and recognized interest in the preservation and care of sites and buildings associated with the origin and history of their respective faiths. The sacred character of the Holy Places shall therefore be preserved and access to them for purposes of worship and pilgrimage shall be ensured in accordance with existing rights.

2. In the interests both of the followers of various faiths and of the maintenance of peace, existing rights in Palestine enjoyed by the several religious communities shall be neither impaired nor denied.

3. The incorporation in the constitution of the independent federal state of Palestine of provisions of the nature proposed in the preceding paragraph are designed to substantially allay the anxiety which is manifested in many quarters concerning the future status of the Holy Places, religious buildings and sites and the preservation of the rights of the communities in Palestine following the establishment of an independent state of Palestine.

4. The establishment of an adequate and impartial system for the settlement of disputes regarding religious rights is essential to the preservation of religious peace in replacement of

the Palestinian administration which exercised such authority under the mandate. Specific stipulations designed to preserve and protect the Holy Places, religious buildings or sites and the rights of religious communities shall be inserted in the constitution of the independent federal state of Palestine and shall be in substance as follows:

a. Existing rights in respect of Holy Places and religious buildings or sites shall not be denied or impaired.

b. Free access to the Holy Places and religious buildings or sites and the free exercise of worship shall be secured in conformity with existing rights and subject to the requirements of public order and decorum.

c. Holy Places and religious buildings or sites shall be preserved and no action shall be permitted which may in any way impair their sacred character.

d. If at any time it should appear to the government of the independent federal state of Palestine or representations to that effect should be made to it by any interested party, that any particular Holy Place, religious building or site is in need of urgent repair, the government shall call upon the religious community or communities concerned to carry out such repair, and in the event no action is taken within a reasonable time the government itself may carry out the necessary repairs.

e. No taxation shall be levied in respect of any Holy Place, religious building or site which was exempt from taxation under the law in force on the date on which independence shall be granted to the state of Palestine.

5. In the interest of preserving, protecting and caring for Holy Places, buildings or sites in Jerusalem, Bethlehem, Nazareth and elsewhere in Palestine, a permanent international body for the supervision and protection of the Holy Places in Palestine shall be created by the appropriate organ of the United Nations. A list of such Holy Places, buildings or sites shall be prepared by that organ.

6. The membership of the permanent international body for the supervision of Holy Places in Palestine shall consist of three representatives designated by the appropriate organ of the United Nations, and one representative from each of the recognized faiths having an interest in the matter, as may be determined by the United Nations.

7. The permanent international body referred to in paragraphs 5 and 6 above shall be responsible, subject to existing rights, for the supervision and protection of all such Places, buildings or sites in Palestine, and shall be empowered to make representations to the government of the independent federal state of Palestine respecting any matters affecting the Holy Places, buildings or sites or the protection of religious interests in Palestine, and to report on all such matters to the General Assembly of the United Nations.

B. JERUSALEM

1. Jerusalem, which shall be the capital of the independent federal state of Palestine, shall comprise, for purposes of local administration, two separate municipalities, one of which shall include the Arab sections of the city, including that part of the city within the walls, and the other the areas which are predominantly Jewish.

2. The Arab and Jewish municipalities of Jerusalem, which shall jointly comprise the city and capital of Jerusalem, shall, under the constitution and laws of the federal government, enjoy powers of local administration within their respective areas, and shall participate in such joint local self-governing institutions as the federal government may prescribe or permit, provided that equitable representation in such bodies is ensured to followers of such faiths as may be represented in the community.

3. The Arab and Jewish municipalities of Jerusalem shall jointly provide for, maintain and support such common public services as sewage, garbage collection and disposal, fire protection, water supply, local transport, telephones and telegraph.

C. IRREVOCABILITY OF PROVISIONS

The independent federal state of Palestine, irrespective of the provision made in paragraph 31 of Chapter II of these recommendations for amendment of the constitution, shall undertake to accept as irrevocable the above provisions affecting Holy Places, buildings or sites and religious interests.

VI. *International Responsibility for Jewish Displaced Persons*

1. The Jews in the DP camps and the distressed European Jews outside of them, like the other

homeless persons of Europe, are a residue of the Second World War. As such, they are all an international responsibility. But the Jews amongst them have a direct bearing on the solution of the Palestine problem, in view of the insistent demands that they be permitted freely to enter that country, and the Arab fears that this permission will be granted.

2. Although the Committee's terms of reference would not justify it in devoting its attention to the problem of the displaced and homeless persons as a whole, it is entirely justified in recommending to the General Assembly a prompt amelioration of the plight of the Jewish segments of these groups as a vital prerequisite to the settlement of the difficult conditions in Palestine.

3. Therefore, It Is Recommended That

The General Assembly undertake immediately the initiation and execution of an international arrangement whereby the problem of the distressed European Jews in and outside of the DP camps, of whom approximately 250,000 are in assembly centers, would be accepted as a special concern of extreme urgency, for the alleviation of the Palestine problem, and by means of which a number of those Members of the United Nations not already over-populated would accept within their borders a proportionate number of Jewish refugees, with Palestine accepting its share in accordance with the recommendation on Jewish immigration set forth in Chapter VII below.

VII. *Jewish Immigration into Palestine*

1. Jewish immigration into Palestine continues to be one of the central political questions of that country.

2. The solution of the problem of Palestine is rendered more difficult by the fact that large numbers of Jews, and especially the displaced and homeless Jews of Europe, insistently demand the right to settle there, on the basis of the historical association of the Jewish people with that country, and they are strongly supported in this demand by all of the Jews encountered by the Committee in Palestine.

3. It is a fact, also, that many of the Jews in Palestine have relatives among the displaced Jews of Europe who are eager to emigrate to Palestine.

4. While the problem of Jewish immigration is thus closely related to the solution of the Palestine

question, it cannot be contemplated that Palestine is to be considered in any sense as a means of solving the problem of world Jewry. In direct and effective opposition to any such suggestion are the twin factors of limited area and resources and vigorous and persistent opposition of the Arab people, who constitute the majority population of the country.

5. For these reasons, no claim to a right of unlimited immigration of Jews into Palestine, irrespective of time, can be entertained. It follows, therefore, that no basis could exist for any anticipation that the Jews now in Palestine might increase their numbers by means of free mass immigration to such extent that they would become the majority population in Palestine.

6. With these considerations in mind,

IT IS RECOMMENDED THAT

The problem of Jewish immigration into Palestine be dealt with in the following manner:

a. For a period of three years from the effective date of the beginning of the transitional period provided for in the solution to be applied to Palestine, even if the transitional period should be less, Jewish immigration shall be permitted into the borders of the Jewish state in the proposed independent federal state of Palestine, in such numbers as not to exceed the absorptive capacity of that Jewish state, having due regard for the rights of the population then present within that state and for their anticipated natural rate of increase. The authority responsible for executing the transitional arrangements on behalf of the United Nations shall take all measures necessary to safeguard these principles.

b. For the purpose of appraising objectively the absorptive capacity of the Jewish state in the independent state of Palestine, an international commission shall be established whose membership shall consist of three representatives designated by the Arabs of Palestine, three representatives designated by the Jews of Palestine, and three representatives designated by the appropriate organ of the United Nations.

c. The international commission shall be empowered to estimate the absorptive capacity of the Jewish state, and in discharging this responsibility may call upon the assistance of such experts as it may consider necessary.

d. The estimates of the international commis-

sion, made in accordance with sub-paragraphs 6-a and 6-c, shall be binding on the authority entrusted with the administration of Palestine, during the period referred to in sub-paragraph 6-a above.

e. The international commission shall exist only during the period of three years, as provided for in Article 6-a above, and its functions and activities, other than those relating to its liquidation, shall automatically cease at the end of that period.

f. Responsibility for organizing and caring for Jewish immigrants during the transitional period shall be placed in such representative local organization as the Jewish community of Palestine shall decide.

g. Priority in the granting of Jewish immigration certificates during the transitional period shall be accorded to orphans, survivors who are of the same family, close relatives of persons already in Palestine, and persons having useful scientific and technical qualifications.

Current United Nations Documents: A Selected Bibliography¹

Security Council

Letter From the Chairman of the Commission of Investigation Concerning Greek Frontier Incidents, Addressed to the President of the Security Council, Dated 28 August 1947, and Attached Telegram From the Chairman of the Subsidiary Group. S/531, August 28, 1947. 2 pp. mimeo.

— Dated 2 September 1947 and Attached Telegram From the Chairman of the Subsidiary Group. S/539, September 5, 1947. 2 pp. mimeo.

Letter From the Representative of Bulgaria Addressed to the Secretary-General Dated 28 August 1947. S/536/Add.1, September 4, 1947. 1 p. mimeo.

Department of Public Information, Research Section

The General Assembly. Background Paper No. 16, August 25, 1947. 15 pp., including chart, mimeo.

World Statistical Congress. Background Paper No. 18, August 29, 1947. 6 pp. mimeo.

¹ Printed materials may be secured in the United States from the International Documents Service, Columbia University Press, 2960 Broadway, New York City. Other materials (mimeographed or processed documents) may be consulted at certain designated libraries in the United States. For further documents, see page 545.

General Assembly Agenda

PROVISIONAL AGENDA FOR THE SECOND REGULAR SESSION OF THE GENERAL ASSEMBLY¹

To Convene at the General Assembly Hall, Flushing Meadows, New York,
on 16 September 1947, at 11:00 a. m.

1. Opening of the session by the Chairman of the Delegation of Brazil
2. Appointment of the Credentials Committee
3. Election of the President
4. Constitution of the Main Committees and election of officers
5. Election of Vice-Presidents
6. Notification by the Secretary-General under Article 12, paragraph 2, of the Charter.
7. Adoption of the agenda
8. Opening of the general debate
9. Report of the Secretary-General on the work of the Organization
10. Report of the Security Council
11. Report of the Economic and Social Council
12. Report of the Trusteeship Council
13. Reports from the Specialized Agencies
14. Headquarters of the United Nations: Report of the Secretary-General (Resolution 100 (I) of 14 December 1946)
15. Agreement between the United Nations and the United States of America regarding the headquarters of the United Nations: report of the Secretary-General (Resolution 99 (I) of 14 December 1946)
16. Procedures and Organization of the General Assembly
 - (a) Report of the Committee on Procedures and Organization (Resolution 102 (I) of 15 December 1946)
 - (b) Simultaneous Interpretation: report of the Secretary-General
17. Rules governing the admission of new members: reports of the Committee of the General Assembly and of the Security Council (Resolution 36 (I) of 19 November 1946)
18. Admission of new Members (if recommendations are received from the Security Council)
19. Relations of Members of the United Nations with Spain (Resolution 39 (I) of 12 December 1946)
20. Treatment of Indians in the Union of South Africa (Resolution 44 (I) of 8 December 1946)
21. Question of Palestine: item submitted by the United Kingdom
22. Report of the Special Committee on Palestine (Resolution 106 (S-I) of 15 May 1947)
23. Termination of the Mandate over Palestine and the recognition of its independence as one State: item submitted by Saudi Arabia and by Iraq
24. Convocation of a General Conference under Article 109 of the Charter to abolish the privilege of the veto: item submitted by Argentina
25. Election of three non-permanent members of the Security Council
26. Consideration of proposed new Trusteeship agreements, if any (Resolutions 9 (I) of 9 February 1946 and 65 (I) of 14 December 1946)
27. Election of additional members of the Trusteeship Council
28. Information from Non-Self-Governing Territories
 - (a) Summary and analysis of information transmitted under Article 73e of the Charter: report of the Secretary-General
 - (b) Information transmitted under Article 73e of the Charter: report of the *ad hoc* Committee (Resolution 66 (I) of 14 December 1946)
29. International Children's Emergency Fund:
 - (a) Report of the Economic and Social Council
 - (b) Annual audit of the accounts of the Fund submitted by the Secretary-General (Resolution 57 (I) of 11 December 1946)

¹ U.N. doc. A/329, July 18, 1947.

30. Draft Convention on Genocide: report of the Economic and Social Council (Resolution 96 (I) of 11 December 1946)

31. Telecommunications: report of the Secretary-General

32. Proposal to increase the membership of the Economic and Social Council to twenty-four: item submitted by Argentina

33. Election of six members of the Economic and Social Council

34. Progressive development of international law and its eventual codification: report of the Committee on the Progressive Development of International Law and its Codification (Resolution 94 (I) of 11 December 1946)

35. Plans for the formulation of the principles of the Nürnberg Charter: report of the Committee on the Progressive Development of International Law and its Codification (Resolution 95 (I) of 11 December 1946)

36. Draft declaration on the Rights and Duties of States proposed by Panama: report of the Committee on the Progressive Development of International Law and its Codification (Resolution 38 (I) of 11 December 1946)

37. Co-ordination of the Privileges and Immunities of the United Nations and of the Specialized Agencies: report of the Secretary-General (Resolution 22 (I) D of 13 February 1946)

38. Installation of the Assistant Secretary-General in charge of Administrative and Financial Services

39. Financial Administration of the United Nations

(a) Budget for the Financial Year 1947

(b) Budget Estimates for the Financial Year 1948

(c) Report of the Advisory Committee on Administrative and Budgetary Questions

(d) Report of the Committee on Contributions (Resolution 69 (I) of 14 December 1946)

(e) Report of the Board of Auditors (Resolution 74 (I) of 7 December 1946)

(f) Budgetary and Financial relationships with Specialized Agencies: report of the Secretary-General

(Resolution 81 (I) of 14 December 1946)

(g) Adoption of the permanent financial regulations: report of the Advisory Committee (Resolution 80 (I) of 11 December 1946)

40. Appointments to fill vacancies in the memberships of subsidiary bodies of the General Assembly

(a) Advisory Committee on Administrative and Budgetary Questions

(b) Committee on Contributions

(c) Board of Auditors

41. Organizational and Administrative Matters

(a) United Nations Joint Staff Pension Scheme: report of the United Nations Staff Benefit Committee

(Resolution 82 (I) of 15 December 1946 and Section E of the Provisional Regulations)

(b) United Nations Joint Staff Pension Scheme. Appointment of the Investments Committee: report of the Secretary-General (Section 25 of the Provisional Regulations)

(c) United Nations Flag: item submitted by the Secretary-General

42. Charter Day and United Nations Peace Day: items submitted by the Secretary-General

43. Organization of a United Nations postal service: item submitted by Argentina

SUPPLEMENTARY LIST OF ITEMS FOR THE AGENDA OF THE SECOND REGULAR SESSION¹

1. Protection of the rights of the General Assembly in relation to the admission of new Members: item proposed by Australia.

2. Resolution granting Pakistan and Hindu India full Membership within the United Nations: item proposed by Argentina.

3. Resolution of the second part of the first session of the General Assembly in relation to the

exercise of the veto in the Security Council and the extent to which the recommendations contained in that resolution have been carried out: item proposed by Australia.

4. Threats to the political independence and territorial integrity of Greece: item proposed by the United States of America.

¹ U.N. doc. A/369, Aug. 28, 1947.

5. Peace Treaty with Italy.

A. Revision of the Peace Treaty with Italy: item proposed by Argentina, and supported by Bolivia, Costa Rica, Dominican Republic, Panama, Paraguay and Uruguay

B. Revision of the Peace Treaty with Italy in order that the interested Powers accept the consideration of amendments to the present terms of the Treaty: item proposed by Ecuador

C. Revision of the Peace Treaty with Italy: item proposed by Honduras

6. Transfer to the United Nations of Functions and Powers exercised by the League of Nations under the International Convention of 30 September 1921 on Traffic in Women and Children, the Convention of 11 October 1933 on Traffic in Women of Full Age, and the Convention of 12 September 1923 on Traffic in Obscene Publications: item proposed by the Economic and Social Council.

7. Agreements with Specialized Agencies: item proposed by the Economic and Social Council.

- (a) World Health Organization
- (b) Universal Postal Union
- (c) International Bank for Reconstruction and Development
- (d) International Monetary Fund
- (e) International Telecommunications Union

8. Applications for Membership in the International Civil Aviation Organization: item proposed by the Secretary-General.

- (a) Application of Italy

9. Transfer to the World Health Organization

of certain assets of the United Nations: item proposed by the Economic and Social Council.

10. Trade Union Rights (Freedom of Association): item proposed by the Economic and Social Council.

11. Recommendations to be made with a view to preventing the dissemination with regard to foreign States of slanderous reports which are harmful to good relations between States and contrary to the purposes and principles of the United Nations: item proposed by Yugoslavia.

12. Relief needs after the termination of UNRRA (United Nations Relief and Rehabilitation Administration): item proposed by the Economic and Social Council.

13. Draft Charter of International Human Rights and Duties: item proposed by Ecuador.

14. Draft Charter of the Duties and Rights of States: item proposed by Ecuador.

15. Need for greater use by the United Nations and its organs of the International Court of Justice in connection not only with disputes of a legal character, but also with legal aspects of disputes and situations: item proposed by Australia.

16. Privileges and Immunities within the boundaries of the United States of America of the representatives of Member States and their staffs: item proposed by Argentina.

17. Recommendations to be made to ensure the surrender of war criminals, traitors and quislings to the States where their crimes were committed: item proposed by Yugoslavia.

18. Registration of treaties and international agreements: item proposed by the Secretary-General.

19. Working of the Secretariat of the United Nations under Chapter XV of the Charter: item proposed by Australia.

INTER-AMERICAN CONFERENCE FOR THE MAINTENANCE OF CONTINENTAL PEACE AND SECURITY

Inter-American Treaty of Reciprocal Assistance

TEXT OF TREATY

In the name of their Peoples, the Governments represented at the Inter-American Conference for the Maintenance of Continental Peace and Security, desirous of consolidating and strengthening their relations of friendship and good neighborliness, and

CONSIDERING :

That Resolution VIII of the Inter-American Conference on Problems of War and Peace, which met in Mexico City, recommended the conclusion of a treaty to prevent and repeal threats and acts of aggression against any of the countries of America ;

That the High Contracting Parties reiterate their will to remain united in an inter-American system consistent with the purposes and principles of the United Nations, and reaffirm the existence of the agreement which they have concluded concerning those matters relating to the maintenance of international peace and security which are appropriate for regional action ;

That the High Contracting Parties reaffirm their adherence to the principles of inter-American solidarity and cooperation, and especially to those set forth in the preamble and declarations of the Act of Chapultepec, all of which should be understood to be accepted as standards of their mutual relations and as the juridical basis of the Inter-American System ;

That the American States propose, in order to improve the procedures for the pacific settlement of their controversies, to conclude the treaty concerning the "Inter-American Peace System" envisaged in Resolutions IX and XXXIX of the Inter-American Conference on Problems of War and Peace,

That the obligation of mutual assistance and common defense of the American Republics is essentially related to their democratic ideals and to their will to cooperate permanently in the fulfillment of the principles and purposes of a policy of peace ;

That the American regional community affirms as a manifest truth that juridical organization is a necessary prerequisite of security and peace, and that peace is founded on justice and moral order and, consequently, on the international recognition and protection of human rights and freedoms, on the indispensable well-being of the people, and on the effectiveness of democracy for the international realization of justice and security,

Have resolved, in conformity with the objectives stated above, to conclude the following Treaty, in order to assure peace, through adequate means, to provide for effective reciprocal assistance to meet armed attacks against any American State, and in order to deal with threats of aggression against any of them :

Article 1. The High Contracting Parties formally condemn war and undertake in their international relations not to resort to the threat or the use of force in any manner inconsistent with the provisions of the Charter of the United Nations or of this Treaty.

Article 2. As a consequence of the principle set forth in the preceding Article, the High Contracting Parties undertake to submit every controversy which may arise between them to methods of peaceful settlement and to endeavor to settle any such controversy among themselves by means of the procedures in force in the Inter-American System before referring it to the General Assembly or the Security Council of the United Nations.

Article 3.

1. The High Contracting Parties agree that an armed attack by any State against an American State shall be considered as an attack against all the American States and, consequently, each one of the said Contracting Parties undertakes to assist in meeting the attack in the exercise of the inherent right of individual or collective self-defense recognized by Article 51 of the Charter of the United Nations.

2. On the request of the State or States directly attacked and until the decision of the Organ of Consultation of the Inter-American System, each one of the Contracting Parties may determine the immediate measures which it may individually take in fulfillment of the obligation contained in the preceding paragraph and in accordance with the principle of continental solidarity. The Organ of Consultation shall meet without delay for the purpose of examining those measures and agreeing upon the measures of a collective character that should be taken.

3. The provisions of this Article shall be applied in case of any armed attack which takes place within the region described in Article 4 or within the territory of an American State. When the attack takes place outside of the said areas, the provisions of Article 6 shall be applied.

4. Measures of self-defense provided for under this Article may be taken until the Security Council of the United Nations has taken the measures necessary to maintain international peace and security.

Article 4. The region to which this Treaty refers is bounded as follows: beginning at the North Pole; thence due south to a point 74 degrees north latitude, 10 degrees west longitude; thence by a rhumb line to a point 47 degrees 30 minutes north latitude, 50 degrees west longitude; thence by a rhumb line to a point 35 degrees north latitude, 60 degrees west longitude; thence due south to a point in 20 degrees north latitude; thence by a rhumb line to a point 5 degrees north latitude, 24 degrees west

INTER-AMERICAN CONFERENCE

longitude; thence due south to the South Pole; thence due north to a point 30 degrees south latitude, 90 degrees west longitude; thence by a rhumb line to a point on the Equator at 97 degrees west longitude; thence by a rhumb line to a point 15 degrees north latitude, 120 degrees west longitude; thence by a rhumb line to a point 50 degrees north latitude, 170 degrees east longitude; thence due north to a point in 54 degrees north latitude; thence by a rhumb line to a point 65 degrees 30 minutes north latitude, 168 degrees 58 minutes 5 seconds west longitude; thence due north to the North Pole.

Article 5. The High Contracting Parties shall immediately send to the Security Council of the United Nations, in conformity with Articles 51 and 54 of the Charter of the United Nations, complete information concerning the activities undertaken or in contemplation in the exercise of the right of self-defense or for the purpose of maintaining inter-American peace and security.

Article 6. If the inviolability or the integrity of the territory or the sovereignty or political independence of any American State should be affected by an aggression which is not an armed attack or by an extra-continental or intra-continental conflict, or by any other fact or situation that might endanger the peace of America, the Organ of Consultation shall meet immediately in order to agree on the measures which must be taken in case of aggression to assist the victim of the aggression or, in any case, the measures which should be taken for the common defense and for the maintenance of the peace and security of the Continent.

Article 7. In the case of a conflict between two or more American States, without prejudice to the right of self-defense in conformity with Article 51 of the Charter of the United Nations, the High Contracting Parties, meeting in consultation shall call upon the contending States to suspend hostilities and restore matters to the *status quo ante bellum*, and shall take in addition all other necessary measures to reestablish or maintain inter-American peace and security and for the solution of the conflict by peaceful means. The rejection of the pacifying action will be considered in the determination of the aggressor and in the application of the measures which the consultative meeting may agree upon.

Article 8. For the purposes of this Treaty, the measures on which the Organ of Consultation may agree will comprise one or more of the following: recall of chiefs of diplomatic missions; breaking of diplomatic relations; breaking of consular relations; partial or complete interruption of economic relations or of rail, sea, air, postal, telegraphic, telephonic, and radiotelephonic or radiotelegraphic communications; and use of armed force.

Article 9. In addition to other acts which the Organ of Consultation may characterize as aggression, the following shall be considered as such:

a. Unprovoked armed attack by a State against the territory, the people, or the land, sea or air forces of another State;

b. Invasion, by the armed forces of a State, of the territory of an American State, through the trespassing

of boundaries demarcated in accordance with a treaty, judicial decision, or arbitral award, or, in the absence of frontiers thus demarcated, invasion affecting a region which is under the effective jurisdiction of another State.

Article 10. None of the provisions of this Treaty shall be construed as impairing the rights and obligations of the High Contracting Parties under the Charter of the United Nations.

Article 11. The consultations to which this Treaty refers shall be carried out by means of the Meetings of Ministers of Foreign Affairs of the American Republics which have ratified the Treaty, or in the manner or by the organ which in the future may be agreed upon.

Article 12. The Governing Board of the Pan American Union may act provisionally as an organ of consultation until the meeting of the Organ of Consultation referred to in the preceding Article takes place.

Article 13. The consultations shall be initiated at the request addressed to the Governing Board of the Pan American Union by any of the Signatory States which has ratified the Treaty.

Article 14. In the voting referred to in this Treaty only the representatives of the Signatory States which have ratified the Treaty may take part.

Article 15. The Governing Board of the Pan American Union shall act in all matters concerning this Treaty as an organ of liaison among the Signatory States which have ratified this Treaty and between these States and the United Nations.

Article 16. The decisions of the Governing Board of the Pan American Union referred to in Articles 13 and 15 above shall be taken by an absolute majority of the Members entitled to vote.

Article 17. The Organ of Consultation shall take its decisions by a vote of two-thirds of the Signatory States which have ratified the Treaty.

Article 18. In the case of a situation or dispute between American States, the parties directly interested shall be excluded from the voting referred to in the two preceding Articles.

Article 19. To constitute a quorum in all the meetings referred to in the previous Articles, it shall be necessary that the number of States represented shall be at least equal to the number of votes necessary for the taking of the decision.

Article 20. Decisions which require the application of the measures specified in Article 8 shall be binding upon all the Signatory States which have ratified this Treaty, with the sole exception that no State shall be required to use armed force without its consent.

Article 21. The measures agreed upon by the Organ of Consultation shall be executed through the procedures and agencies now existing or those which may in the future be established.

Article 22. This Treaty shall come into effect between the States which ratify it as soon as the ratifications of two-thirds of the Signatory States have been deposited.

Article 23. This Treaty is open for signature by the American States at the city of Rio de Janeiro, and shall

be ratified by the Signatory States as soon as possible in accordance with their respective constitutional processes. The ratifications shall be deposited with the Pan American Union, which shall notify the Signatory States of each deposit. Such notification shall be considered as an exchange of ratifications.

Article 24. The present Treaty shall be registered with the Secretariat of the United Nations through the Pan American Union, when two-thirds of the Signatory States have deposited their ratification.

Article 25. This Treaty shall remain in force indefinitely, but may be denounced by any High Contracting Party by a notification in writing to the Pan American Union, which shall inform all the other High Contracting Parties of each notification of denunciation received. After the expiration of two years from the date of the receipt by the Pan American Union of a notification of denunciation by any High Contracting Party, the present Treaty shall cease to be in force with respect to such State, but shall remain in full force and effect with respect to all the other High Contracting Parties.

Article 26. The principles and fundamental provisions

of this Treaty shall be incorporated in the Organic Pact of the Inter-American System

In witness whereof, the undersigned Plenipotentiaries, having deposited their full powers found to be in due and proper form, sign this Treaty on behalf of their respective Governments, on the dates appearing opposite their signatures.

Done in the City of Rio de Janeiro, in four texts in the English, French, Portuguese and Spanish languages, on the second of September, nineteen hundred forty-seven.

RESERVATION OF HONDURAS:

The Delegation of Honduras, in signing the present Treaty and in connection with Article 9, section (b), does so with the reservation that the boundary between Honduras and Nicaragua is definitively demarcated by the Joint Boundary Commission of nineteen hundred and nineteen hundred and one, starting from a point in the Gulf of Fonseca, in the Pacific Ocean, to Portillo de Teotecacinte and, from this point to the Atlantic, by the line that His Majesty the King of Spain's arbitral award established on the twenty third of December of nineteen hundred and six.

FINAL ACT

The American Republics, desirous of maintaining the peace and security of the Continent, decided in accordance with Resolution VIII of the Inter-American Conference on Problems of War and Peace, which met at Mexico City in 1945, to hold a Conference to give permanent form to the principles contained in the Act of Chapultepec, and for that purpose designated the Plenipotentiaries listed below, in the order of precedence determined by lot, who met in Petropolis, State of Rio de Janeiro, from August 15 to September 2, 1947:

Dominican Republic:

His Excellency Arturo Despradel, Secretary of State for Foreign Affairs;
His Excellency Luis F. Thomen, Secretary of Health and Public Welfare;
His Excellency Tullo M. Cestero, Ambassador Extraordinary and Plenipotentiary to Chile,
His Excellency Ricardo Pérez Alfonseca, Ambassador Extraordinary and Plenipotentiary to the United States of Brazil;
His Excellency Roberto Despradel, Ambassador Extraordinary and Plenipotentiary to the Holy See;
His Excellency Porfirio Herrera Báez, Ambassador Extraordinary and Plenipotentiary to the Argentine Republic;
His Excellency Joaquín Balaguer, Ambassador Extraordinary and Plenipotentiary to Honduras;
His Excellency Emilio Rodríguez Demorizi, Envoy Extraordinary and Minister Plenipotentiary to Colombia.

Guatemala:

His Excellency Carlos Leonidas Acevedo, Acting Minister of Foreign Affairs;

September 21, 1947

His Excellency Ismael González Arévalo, Envoy Extraordinary and Minister Plenipotentiary to Peru;

His Excellency Francisco Guerra Morales, Envoy Extraordinary and Minister Plenipotentiary to the United States of Brazil;

His Excellency Manuel Galich, Former Minister of Education.

Costa Rica:

His Excellency Luis Anderson Morúa, Ambassador on Special Mission;

His Excellency Máximo Quesada Picado, Ambassador on Special Mission.

Peru:

His Excellency Enrique García Sayán, Minister of Foreign Affairs and Worship;

His Excellency Manuel G. Gallagher, Former Minister of Foreign Affairs and Worship;

His Excellency Víctor Andrés Belaúnde, Ambassador of the Republic;

His Excellency Luis Fernán Cisneros, Ambassador Extraordinary and Plenipotentiary to the United States of Brazil;

His Excellency Hernán C. Bellido, Ambassador Extraordinary and Plenipotentiary to the Oriental Republic of Uruguay.

El Salvador:

His Excellency Ernesto Alfonso Núñez, Under Secretary of Foreign Affairs and Justice;

His Excellency Guillermo Trigueros;

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His Excellency Miguel Angel Espino, Former Under Secretary of Foreign Affairs;

His Excellency Carlos Adalberto Alfaro, Counsellor to the Embassy in Mexico;

Panama:

His Excellency Ricardo J. Alfaro, Minister of Foreign Affairs;

His Excellency José Edgardo Lefèvre, Former Minister of Foreign Affairs.

Paraguay:

His Excellency Federico Chaves, Minister of Foreign Affairs and Worship;

His Excellency Raúl Sapena Pastor;

His Excellency José A. Moreno González;

His Excellency José Zacarías Arza;

His Excellency General Raimundo Rolón, Ambassador Extraordinary and Plenipotentiary to the United States of Brazil.

Venezuela:

His Excellency Carlos Morales, Minister of Foreign Affairs;

His Excellency Martín Pérez Guevara, Representative in the National Assembly;

His Excellency Desiderio Gómez Mora, Representative in the National Assembly;

His Excellency Domingo Alberto Rangel, Representative in the National Assembly;

His Excellency M. A. Falcón Briceño, Minister Counsellor of the Embassy in the United States of America;

His Excellency Eduardo Arroyo Lameda, Delegate of Venezuela to the Inter-American Juridical Committee;

His Excellency Eduardo Plaza A., Adviser of the Ministry of Foreign Affairs;

His Excellency Santiago Pérez Pérez, Director of International Policy of the Ministry of Foreign Affairs;

His Excellency Aureliano Otáñez, Director of Political Economy of the Ministry of Foreign Affairs;

His Excellency Major Luis Felipe Llovera Páez, Deputy Chief of the General Staff;

His Excellency Major Raúl Castro Gómez, Director of the Military Academy.

Chile:

His Excellency Germán Vergara Donoso, Minister of Foreign Affairs;

His Excellency Emilio Edwards Bello, Ambassador Extraordinary and Plenipotentiary to the United States of Brazil;

His Excellency Enrique Eleodoro Guzmán Figueroa, Senator of the Republic;

His Excellency Enrique Cañas Flores, Member of the Chamber of Deputies;

His Excellency Aníbal Matte Pinto;

His Excellency Enrique Bernstein Carabantes, Director of the Diplomatic Department of the Ministry of Foreign Affairs.

Honduras:

His Excellency Julián R. Cáceres, Ambassador Extraor-

dinary and Plenipotentiary to the United States of America;

His Excellency Marco A. Batres, Envoy Extraordinary and Minister Plenipotentiary to Nicaragua;

His Excellency Angel C. Hernández, Minister of Education.

Cuba:

His Excellency Guillermo Belt, Ambassador Extraordinary and Plenipotentiary to the United States of America;

His Excellency Gabriel Landa, Ambassador Extraordinary and Plenipotentiary to the United States of Brazil.

Bolivia:

His Excellency Luis Fernando Guachalla, Minister of Foreign Affairs and Worship;

His Excellency José Gil Soruco, President of the Senate;

His Excellency David Alvéstegui, Ambassador Extraordinary and Plenipotentiary to the United States of Brazil;

His Excellency Alberto Palacios, Former Minister of Finance;

His Excellency René Ballivián, Director of the Bolivian Corporation of National Development;

His Excellency Alberto Virreira Paccleri, General Adviser of the Ministry of Foreign Affairs.

Colombia:

His Excellency Domingo Esguerra, Minister of Foreign Affairs;

His Excellency Gonzalo Restrepo Jaramillo, Ambassador Extraordinary and Plenipotentiary to the United States of America;

His Excellency Antonio Rocha, Ambassador, Chairman of the Governing Board of the Pan American Union;

His Excellency Eduardo Zuleta Angel, Ambassador, Minister of National Education;

His Excellency Francisco Umaña Bernal, Ambassador Extraordinary and Plenipotentiary to the United States of Brazil;

His Excellency Juan Uribe Cualla, Senator of the Republic;

His Excellency Julio Roberto Salazar Ferro, Member of the National Congress;

His Excellency Augusta Ramírez Moreno, Member of the National Congress;

His Excellency José Joaquín Caicedo Castilla, Colombian Delegate to the Inter-American Juridical Committee.

Mexico:

His Excellency Jaime Torres Bodet, Secretary of Foreign Affairs;

His Excellency Antonio S. Villalobos, Ambassador Extraordinary and Plenipotentiary to the United States of Brazil;

His Excellency Roberto Córdova, Ambassador of Mexico;

His Excellency Pablo Campos Ortíz, Ambassador of Mexico;

His Excellency José Gorostiza, Ambassador of Mexico;

His Excellency Donato Miranda Fonseca, Senator of the Republic;

His Excellency José López Bermúdez, Deputy to the National Congress.

Ecuador:

His Excellency José Vicente Trujillo, Minister of Foreign Affairs;

His Excellency Luis Antonio Peñaherrera, Ambassador Extraordinary and Plenipotentiary to the United States of Brazil;

His Excellency Arturo Borrero Bustamante, Ambassador Extraordinary and Plenipotentiary to the Argentine Republic;

His Excellency Teodoro Alvarado Garalcoa, Minister Counsellor.

Haiti:

His Excellency Edmé Th. Manigat, Secretary of State for Foreign Affairs and Worship;

His Excellency Jacques A. Léger, Envoy Extraordinary and Minister Plenipotentiary to Venezuela;

His Excellency Clovis Kernisan, Legal Advisor;

His Excellency Colonel Antoine Levelt, Technical Advisor.

Uruguay:

His Excellency Mateo Marques Castro, Minister of Foreign Affairs;

His Excellency Alberto Domínguez Cámpora;

His Excellency Enrique E. Buero, Ambassador Extraordinary and Plenipotentiary to the United States of Brazil;

His Excellency Leonel Aguirre;

His Excellency Antonio C. Fusco, National Representative;

His Excellency Cyro Giamb Bruno, National Senator;

His Excellency Juan F. Guichón, National Senator;

His Excellency José A. Mora Otero, Envoy Extraordinary and Minister Plenipotentiary;

His Excellency Dardo Regules, National Senator;

His Excellency Gabriel Terra Ilarraz, National Representative.

United States of America:

The Honorable George C. Marshall, Secretary of State;

The Honorable William D. Pawley, Ambassador Extraordinary and Plenipotentiary to the United States of Brazil;

The Honorable Arthur H. Vandenberg, President of the United States Senate, and Chairman, Committee on Foreign Relations;

The Honorable Tom Connally, United States Senate, Member, Committee on Foreign Relations;

The Honorable Sol Bloom, House of Representatives, Member, Committee on Foreign Affairs;

The Honorable Warren R. Austin, Ambassador, United States Representative to the United Nations.

Argentina:

His Excellency Juan Atilio Bramuglia, Minister of Foreign Affairs and Worship;

His Excellency Enrique V. Corominas, Ambassador of the Republic;

His Excellency Oscar Ivanissevich, Ambassador Extraordinary and Plenipotentiary to the United States of America;

His Excellency Pascual La Rosa, Ambassador of the Republic;

His Excellency General Nicolás C. Accame, Ambassador Extraordinary and Plenipotentiary to the United States of Brazil;

His Excellency Roberto A. Ares, Envoy Extraordinary and Minister Plenipotentiary.

Brazil:

His Excellency Raul Fernandes, Minister of State for Foreign Affairs;

His Excellency General Pedro Aurélio de Góes Monteiro, Senator of the Republic;

His Excellency Ambassador Hildebrando Pompeu Pinto Accioly, Secretary General of the Ministry of Foreign Affairs;

His Excellency José Eduardo Prado Kelly, Federal Deputy;

His Excellency Affonso Penna Júnior;

His Excellency Levi Carneiro, Legal Advisor of the Ministry of Foreign Affairs;

His Excellency Edmundo da Luz Pinto.

The Pan American Union was represented by its Director General, Dr. Alberto Lleras Camargo.

Mr. Trygve Halvdan Lie, Secretary General of the United Nations, was specially invited by the Brazilian Government to attend the Conference. This invitation was later extended by the Conference to Mr. Benjamin Cohen, Assistant Secretary General of that Organization.

The inaugural Session was held on August 15 under the chairmanship of His Excellency Dr. Raul Fernandes, Minister of State for Foreign Affairs of Brazil. His Excellency General Eurico Gaspar Dutra, President of the Republic of the United States of Brazil, delivered an address of welcome to the Delegations.

His Excellency Jaime Torres Bodet, Secretary of Foreign Affairs of Mexico, replied on their behalf.

In the plenary Session held on August 16, His Excellency Dr. Raul Fernandes was elected by acclamation President of the Conference.

The Program and the Regulations of the Conference had been approved by the Governing Board of the Pan American Union on September 13, 1945.

In accordance with the Regulations, the Government of Brazil appointed His Excellency Luiz Pereira Ferreira de Faro Junior, Secretary General of the Conference.

In conformity with the Regulations, a Credentials Committee and a Coordination and Drafting Committee were appointed, in addition to the Central Committee, which was composed of the Heads of the Delegations and presided over by the President of the Conference.

The following three committees were appointed to draft the Inter-American Treaty of Reciprocal Assistance:

Committee I—Principles, Preamble and Protocolary Articles;

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Committee II—Measures to be taken in the case of threats or acts of aggression;

Committee III—Procedures and agencies for the execution of the Treaty.

As a result of its deliberations, the Conference approved the following resolutions in addition to the Inter-American Treaty of Reciprocal Assistance:

I. Tribute to Brazil

The American Republics, on initiating the work of the Inter-American Conference for the Maintenance of Continental Peace and Security, greet the noble Nation of Brazil, in the person of its President, His Excellency General Eurico Gaspar Dutra, who, interpreting the sentiments of his people, offered generous hospitality to this Conference which is destined to continue and strengthen continental solidarity.

II. Tribute to the Memory of Presidents Roosevelt and Berreta

WHEREAS:

The political figure of the President of the United States of America, Franklin Delano Roosevelt, personified the continental sentiment of cooperation and solidarity and carried out in practice as well as in theory the "Good Neighbor" policy, cherished by the citizens of the American States;

The political figure of the President of the Oriental Republic of Uruguay, Tomás Berreta, symbolized a faithful expression of the spirit of the region of the River Plate, devoted to democracy and defender of its principles;

The Inter-American Conference for the Maintenance of Continental Peace and Security

Declares:

That the American Republics render respectful tribute to the memory of the two Presidents, who were champions of cooperation among the Nations of the Continent.

III. Tribute to Mr. Trygve Lie

The Inter-American Conference for the Maintenance of Continental Peace and Security

Declares:

That it notes with special satisfaction the presence of Mr. Trygve Halvdan Lie, Secretary General of the United Nations, whose effective work on behalf of international understanding coincides with the objectives of this Assembly, which was called to preserve from all danger the independence and sovereignty of the American Nations.

IV. Restoration of Peace in Paraguay

WHEREAS:

This Conference cannot remain indifferent to the struggles of the noble Paraguayan people who for many months have suffered the tragedy of a conflict which affects the humanitarian feelings and the solidarity uniting all the American Nations.

The Inter-American Conference for the Maintenance of Continental Peace and Security

Declares:

That, without any intention of intervening in the internal affairs of Paraguay, it urges the contending parties to accept the generous offer of mediation, opportunely extended by the Government of Brazil, together with the Foreign Offices of Argentina and Bolivia and with the support of other Governments of America, in order to put an end to the struggle which afflicts this sister Republic.

V. Tribute to the Memory of Leo S. Rowe

WHEREAS:

Leo S. Rowe placed all the wealth of his talents at the service of the peace, unity and solidarity of America in his long years of work as Director General of the Pan American Union,

The Inter-American Conference for the Maintenance of Continental Peace and Security

Resolves:

To express its deep regret over the death of this illustrious citizen of the Americas.

VI. Tribute to Dr. Alberto Lleras Camargo

The Governments of the American Republics express their pleasure at the appointment of Mr. Alberto Lleras Camargo as Director General of the Pan American Union and are certain that his work at the head of this Organization will strengthen the growing friendship and mutual cooperation among the American Nations.

VII. The Panamerican Ideal and the United Nations

The Inter-American Conference for the Maintenance of Continental Peace and Security

Declares:

That it reiterates its confidence in the principles of justice and international law and in the sentiments of concord which govern relations among the states of the Continent and expresses the hope that these principles and sentiments may help to unite and coordinate the efforts which the United Nations is making to strengthen universal peace.

VIII. Representation of the United Nations

WHEREAS:

The Governing Board of the Pan American Union, in accordance with the resolution approved at its session of July 28, 1947, invited the Secretary General of the United Nations, Mr. Trygve Lie, to attend this Conference;

Mr. Trygve Lie had to leave Brazil soon after the opening of the Conference and expressed the wish that he be represented by the Assistant Secretary General of the United Nations, Mr. Benjamin Cohen,

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Resolves:

To extend to Mr. Benjamin Cohen the invitation which originally was sent to Mr. Trygve Lie.

IX. Economic Cooperation

WHEREAS:

Economic security which is indispensable for the progress of all the American peoples is, at all times, the best guarantee of political security and of the success of their joint efforts for the maintenance of Continental peace,

The Inter-American Conference for the Maintenance of Continental Peace and Security

Resolves:

1. That the Inter-American Economic and Social Council prepare a basic draft agreement of inter-american economic cooperation, in order that the text be submitted to the Ninth International Conference of American States to be held at Bogota.

2. That, for this purpose, the governments of the American republics designate to the Inter-American Economic and Social Council, in addition to their representatives or advisers, specialists in economic and financial affairs, and

3. That a special economic conference be called during the last half of 1948, on the date which shall be fixed by the Ninth International Conference of American States. The purpose of this special conference shall be to consider the best procedures for carrying out the agreement which may have been concluded and to examine any measures which tend to make inter-American economic cooperation more effective.

X. Pacific System of Security

WHEREAS:

Peace is the realization of justice based on moral order and guaranteed by law,

The Inter-American Conference for the Maintenance of Continental Peace and Security

Recommends:

That at the Ninth International Conference of American States to be held shortly at Bogotá, there be studied with a view to approval, institutions which may give effectiveness to a pacific system of security and among them compulsory arbitration for any dispute which may endanger peace and which is not of a juridical nature.

XI. Armaments and the Obligations Created Under the Treaty

The Inter-American Conference for the Maintenance of Continental Peace and Security

Declares:

That its primary purpose as well as that of the Treaty which it has concluded is to assure the peace and security of the Continent and, consequently, that no stipulation of the Treaty nor any of the obligations created under it

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should be interpreted as justifying excessive armaments or may be invoked as a reason for the creation or maintenance of armaments or armed forces beyond those required for common defense in the interest of peace and security.

XII. Preamble of the Organic Pact of the Inter-American System

The Inter-American Conference for the Maintenance of Continental Peace and Security

Recommends:

That the Ninth International Conference of American States, in drafting the Preamble of the Organic Pact of the Inter-American System, consider the following *consideranda* proposed by the Delegation of Peru:

"The High Contracting Parties, representing their peoples;

"Determined to continue encouraging the peaceful advance of their peoples toward the complete redemption of the Continent through the constant practice of loyal and understanding cooperation, free of all ambitions of power;

"Inspired by an unqualified desire to live in peace in order to dignify the life labors of the American man through the prevalence of goodness and morality and through the indispensable fulfillment of his fundamental right to tranquillity and well-being;

"Aware of the necessity for providing a complete and unified defense of the liberty, independence, democracy, law and the material goods accumulated within the Continent by the genius and labor of its sons;

"Conscious that the provisions for defense must respect, as a natural corollary of love of peace, the strict requirements of what is necessary and appropriate to the objective, without prejudicing the fundamental principle of the American juridical structure and without contradicting the unanimous desire for peace to which this structure is dedicated" . . .

XIII. American Educational Charter for Peace

WHEREAS:

- That the Constitution of the United Nations Educational, Scientific and Cultural Organization establishes in its introductory clauses the following postulate: that since wars begin in the minds of men, it is in the minds of men that the bulwarks of peace should be erected, and that this Organization has the purpose of contributing to international peace and security through collaboration among the nations by means of education, science and culture, strengthening universal respect for justice, the rule of law, human rights and fundamental liberties;

That the Inter-American Conference on Problems of War and Peace, in its Resolution XXIX considers that peace cannot rest exclusively on political and economic measures; that the Inter-American System cannot develop and be strengthened as long as the citizens of the different Republics of this Continent are not profoundly imbued with the principles of peace, justice and equality among States and individuals, and that the Declaration

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of Mexico consecrates the principle that education and material well-being are indispensable to the development of democracy;

For the maintenance of the peace and security of the Continent, in addition to treaties of a political and economic character, it is necessary for the American Nations to harmonize the moral standards of their educational systems with a set of principles common to all, to promote understanding and closer relations among the American peoples and to intensify the training of citizens through a sound orientation of the will and intelligence toward the strengthening of peace,

The Inter-American Conference for the Maintenance of Continental Peace and Security

Resolves:

To entrust the formulation of the American Educational Charter for Peace to the Governing Board of the Pan-American Union for presentation to the Ninth International Conference of American States for consideration and study.

XIV. Tribute to Senator Vandenberg

The Inter-American Conference for the Maintenance of Continental Peace and Security recalls with gratitude the services rendered by Senator Arthur Vandenberg in the Committee on Regional Arrangements of the Conference of San Francisco in obtaining approval of the United States proposal, which later became Article 51 of the Charter of the United Nations, by virtue of which it has been possible to conclude the first treaty which develops the principle of collective self-defense, and it applauds the cooperation which in a lofty and comprehensive spirit he has given in the discussion of the Inter-American Treaty of Reciprocal Assistance.

XV. Tribute to Minister Raul Fernandes

The Inter-American Conference for the Maintenance of Continental Peace and Security, at the close of its labors, expresses its applause and recognition to His Excellency Raul Fernandes, Minister for Foreign Affairs of Brazil and President of the Conference, whose high juridical culture and outstanding statesmanship have beneficially influenced all initiatives of the Conference and forever will be associated with the spirit of the Pact which has been concluded.

Statements

Argentina:

The Argentine Delegation declares that within the waters adjacent to the South American Continent, along the coasts belonging to the Argentine Republic in the Security Zone, it does not recognize the existence of colonies or possessions of European countries and it adds that it especially reserves and maintains intact the legitimate

titles and rights of the Argentine Republic to the Falkland (Malvinas) Islands, the South Georgia Islands, the South Sandwich Islands, and the lands included in the Argentine Antarctic sector, over which the Republic exercises the corresponding sovereignty.

Guatemala:

Guatemala wishes to place on record that it does not recognize any right of legal sovereignty of Great Britain over the territory of Belice, called British Honduras, included in the Security Zone, and that once again, it expressly reserves its rights, which are derived from the Constitution of the Republic, historical documents, juridical arguments and principles of equity which have on appropriate occasions been laid before the universal conscience.

Mexico:

Only because the Delegation of Guatemala has seen fit to make the preceding declaration, the Delegation of Mexico finds it necessary to reiterate that, in case there should occur a change in the status of Belice, there cannot fail to be taken into account the rights of Mexico to a part of the said territory, in accordance with historical and juridical precedents.

Chile:

The Delegation of Chile declares that, within the waters adjacent to the South American Continent, in the extension of coast belonging to the Republic of Chile, comprised within the Security Zone, it does not recognize the existence of colonies or possessions of European countries and it adds that it specially reserves and maintains intact the legitimate title and rights of the Republic of Chile to the lands included in the Chilean Antarctic zone, over which the Republic exercises the corresponding sovereignty.

United States of America:

With reference to the reservations made by other Delegations concerning territories located within the region defined in the Treaty, their boundaries, and questions of sovereignty over them, the Delegation of the United States of America wishes to record its position that the Treaty of Rio de Janeiro has no effect upon the sovereignty, national or international status of any of the territories included in the region defined in Article 4 of the Treaty.

In witness whereof, the Plenipotentiaries listed above sign the present Final Act, in the English, French, Portuguese and Spanish languages, in the City of Rio de Janeiro, on the second of September nineteen hundred forty-seven. The Secretary General shall deposit the original in the archives of the Ministry of Foreign Affairs of Brazil, which will send certified copies to the Governments of the American Republics and to the Pan American Union.

An Interpretation of Certain Aspects of This Treaty

STATEMENT BY THE UNITED STATES DELEGATION¹

1. The proposal introduced by the Mexican Delegation that the treaty of Rio de Janeiro include a provision regarding the geographical location of armed attacks has now been revised by the committee and incorporated in specific texts which appear in paragraph 3 of article A, and article B,² as approved by Committee Two.

2. The two provisions cited above, namely, paragraph 3 of article A, and article B, clarify in geographical terms the cases in which certain other provisions of the treaty become effective. Those other provisions are paragraphs 1 and 2 of article A which state the obligations of the parties regarding armed attacks.

3. The effect of paragraph 3 of article A, and article B, is simply this:

A. In case an armed attack takes place within the areas referred to in paragraph 3 of article A, the contracting parties are obligated to help meet the attack as well as to consult. The nature of the assistance which they are thus pledged to render individually will be determined by each state pending a consultation to decide upon the collective measures required of all. Each state will be governed in determining the nature and extent of its initial assistance by the nature and extent of the attack, particularly since the defined region necessarily includes, in addition to the American states themselves, other areas in which an attack might directly threaten American states.

B. In cases of armed attacks outside of the areas referred to in paragraph 3 of article A, the parties to the treaty are obligated under article D³ to consult in order to agree upon measures which should be taken to help the victim of aggression or for the common defense and for the maintenance of inter-American peace and security.

4. The definition of the region in article B has no bearing on the obligations of the parties to the treaty with respect to acts of aggression other than armed attacks, or with respect to threats of aggression, or with respect to any other fact or situation that might endanger the peace of America.

No geographic limitations are stipulated with respect to any of the cases covered by article D, which establishes a general obligation to consult in order to agree on the measures which should be taken.

5. It is, of course, obvious that the definition of the region has no effect whatsoever upon the sovereignty or national or international status of any of the territories included therein. A statement to this effect was made by the U. S. Delegation in meeting of Committee Two and stands unchallenged on the record.

6. It is equally obvious that definition of the region subtracts nothing from the rights and obligations stipulated in the Charter of the United Nations, and in fact the treaty adds a new obligation within the defined region.

7. Paragraph 3 of article A, and article B, therefore, simply define the area within which the parties to the treaty are obligated to assist in meeting armed attacks. Those provisions do not affect other obligations of the treaty, nor do they in any way modify the concepts of armed attack or aggression, or threats of aggression, or situations that might endanger the peace of the Americas. The general principle stands firm that an armed attack on any American state is an attack on all.

8. Finally, definition of this region in no way impairs the fundamental and well-established principle of inter-American solidarity for the defense not only of the territories of the American states but also of their principles of international relations, which include the general condemnation of the crime of aggression anywhere and the desire to promote the peace and security of the entire world.

¹ Made at Petropolis on Aug. 30, 1947, after the final plenary session of the Inter-American Conference. Printed from telegraphic text.

² Articles A and B of the draft treaty became Articles 3 and 4 of the finally adopted treaty.

³ Article D of the draft treaty became Article 6 of the finally adopted treaty.

What Does This Treaty Do for Us?

REMARKS BY AMBASSADOR AUSTIN¹

1. It creates the obligation of mutual assistance among the American republics to prevent war and promote peaceful relations.

2. For us and for all our neighbors this treaty sets up an actual system of consultation having effective organs of operation. This is a long step in advance of all previous efforts. Through that system specified measures operate automatically to save our community of nations from war and to deal with other acts of aggression and situations that threaten the peace of America.

3. An armed attack upon one is an armed attack upon all, requiring individual and collective defense.

4. In case of aggression other than armed attack, special procedure will carry out rights and obligations for us which differ from that in the case of armed attack.

5. In case of armed attack, the specific obligations for action are spelled out in the treaty. Therefore, we and our neighbors are relieved of uncertainty and the burden of unlimited and undescribed liabilities.

In the other circumstances, namely, aggression short of armed attack, the automatic liability is to consult in order to agree on measures which should be taken for the common defense and the maintenance of the peace and security of the whole continent.

6. In connection with both causes for consultation, a new provision benefiting us in unison with the other neighbors requires a stay of hostilities for the purpose of the consultation. A refusal

to respond to the call to suspend fighting would be proof of who is the aggressor, enabling prompt action suitable to the case to be taken.

7. This treaty provides us with machinery to carry out both the pacific methods of settlement of a situation and the self-defense referred to in the Charter of the United Nations and in this treaty.

8. Of high value among the benefits to the United States of this treaty is the support that it gives to the United Nations. For, 21 out of the 55 nations of the United Nations will have an express obligation for mutual assistance in self-defense, both individual and collective, which is recognized by article 51 of the Charter.

9. What this treaty does for us is to increase the internal security of the region in which we are one of the greatest states. This security is a necessary condition for the economic improvement of this region. It should give confidence which would free the energy, wealth, and genius of the people for the works of peace. This means more jobs and an increase of production.

10. Pan American solidarity is not *created* by this treaty. It is a living spirit that animates the peoples and governments of this Hemisphere and holds them together in bonds of interest and sentiment and human aspiration. But this treaty is a great gift to all of us because it marks an upward step in international understanding and agreement. It strengthens the spiritual bonds between these neighboring countries by formalizing them into the letter of a great covenant. It renders more practical and efficient the efforts by which we will continue to advance toward economic, political, social, and ethical ideals.

¹ Broadcast over the NBC network from Petropolis on Aug. 28, 1947. Mr. Austin was a U.S. Delegate to the conference.

What Does the Treaty Do for This Hemisphere?

STATEMENT BY SENATOR CONNALLY¹

The final steps as to the drafting of the treaty at this Conference have been taken and will soon be signed by representatives of the nations in attendance.

The Conference has been a success. A treaty fairly reflecting the principles of the Chapultepec agreements and consistent with the Charter of the United Nations has been concluded.

The Conference was called for the purpose of putting into treaty form the principles enunciated at Chapultepec with particular respect to mutual self-defense and the prevention of war and the promotion of peaceful relations in this Hemisphere.

The treaty sets up a system of cooperation among the American states of the Western Hemisphere and provides organs of operation and consultation. These measures embrace both automatic self-defense measures under certain specified conditions and provide for consultation under other situations. An armed attack upon one American state is to be construed as an armed attack upon all, and provision is made for measures of defense. In the matter of aggression other than armed attack the states must consult as to measures to be adopted by them with respect to such act of aggression.

A valuable provision is that requiring a suspension of hostilities between any American states

pending solution of their dispute. Refusal to suspend hostilities in such a case would be considered as important evidence in determining the aggressor. The consultation would seek adjustment of the matter through pacific means.

The provisions of the present treaty do not conflict with the United Nations Charter. In fact they are cooperative with that instrument.

The present Conference did not assume to act upon an economic conference, leaving this matter to the Conference called for Bogotá in January 1948.

The treaty will contribute much to the spirit of pan-American solidarity and creates substantial provisions for the preservation of peace in this Hemisphere and for the cooperation of the American states in resisting aggression from any source whatever. The treaty marks an onward step in behalf of international cooperation and world peace.

The United States Delegation has prepared for submission to the President a full and detailed report of the important provisions.

¹ Made on Aug. 28, 1947 at Petropolis. Mr. Connally was U.S. Delegate to the Conference.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

Report on the Anglo-American Talks on Ruhr Coal Production¹

PART I. REVIEW OF HARD COAL PROBLEM IN RUHR-AACHEN AREA SINCE THE CAPITULATION

[Released to the press simultaneously in Washington and London September 10]

Responsibility for Control of Coal Mining

1. At the time of the occupation of western Germany, the control of the hard-coal-mining industry in the Ruhr-Aachen area was the responsibility of an Anglo-American organization, G.4 Solid Fuels Section of S.H.A.E.F. In July 1945, this responsibility was transferred to a British organization, the North German Coal Control, which continues to be the authority in the British zone of Germany controlling production and distribution of coal.

2. The functions of the North German Coal Control have been to formulate policies designed to increase coal production, to issue the necessary directives, and to ensure their execution through a system of inspections. The day-to-day management and operation of the individual mines is in the hands of German technicians.

3. On January 1, 1947, with the coming into force of the fusion agreement, United States representatives became joint members with the British of the Coal Production Committee in Berlin, which had been established by the British zone commander late in 1946. The object of this committee was to consider difficulties arising in connection with coal production and to issue instructions to appropriate agencies. United States representatives have thus participated with the British in establishing over-all coal-production policy since the beginning of 1947. Recently, the committee has had under discussion the transfer of central managerial responsibility for the coal-mining industry to German hands under United States-United Kingdom control.

¹ Held in Washington, D.C., from Aug. 12 to Sept. 10, 1947.

State of Mining Industry at the Capitulation

4. When the Ruhr area was occupied in 1945, coal production, which had previously exceeded 400,000 tons per day, had fallen to about 30,000 tons a day. The mining area had been extensively damaged as a result of bombing and later ground warfare. Mines representing about 10 percent of the normal production were so severely damaged that it has not yet been possible to restore them. Of the mines now in production, some 25 percent were very badly damaged, presenting a serious problem of reconstruction and repair.

5. The effective labor force of some 400,000 (daily manshifts worked) had, by the time of the capitulation, been reduced to a little over 100,000. The balance represented foreign forced labor which had been obtained throughout German-occupied Europe in order to permit the able-bodied German miners to enter the armed forces. These foreign miners were suddenly released after the surrender and left the mines.

6. In the general devastation of the Ruhr area, miners' housing was extensively damaged. Out of a total of 250,000 miners' houses, 66,000 were completely destroyed, and 130,000 were damaged in varying degrees.

7. There was a complete cessation in the manufacture of mining supplies. Stocks of machinery and the large variety of essential stores were very much depleted. In particular, there was an acute shortage of pitwood, many large stocks having been destroyed by fire.

8. Transport was completely disorganized, and industrial activity generally was almost at a standstill. Coal-loading and distribution facilities were either damaged or incapable of use because of the destruction of many of the railroad marshaling yards and locomotives and much of the

rolling stock, as well as the blocking of the Rhine and the entire canal system by blasted bridges.

9. These were the major problems facing the occupying powers, and efforts were directed to their solution.

Reconstruction of Labor Force

10. Immediate steps were taken to establish a recruiting system for the mines, and in August 1945 the German labor offices were re-established. Through these offices, 35,000 ex-miners from the prisoners of war held in the British zone were directed to the mines by the middle of August 1945. Later, recruitment was extended to all able-bodied men between the ages of 18 and 35 years who, if not in essential employment, were directed to the mines. Mining was accorded first priority in the supply of labor, a position which it has enjoyed ever since.

11. By these means, the effective labor force was increased to some 200,000 by the end of 1945. During the greater part of 1946, the intake of labor, only a small proportion of which was by voluntary recruitment, was no more than sufficient to balance the wastage. Thus in December 1946 the effective labor force had only reached 210,000.

12. A wage increase in November 1946, followed by the introduction of the "points scheme" in January 1947, resulted in a considerable increase in the rate of recruitment. This made it no longer necessary to direct labor, as men joined the industry on a voluntary basis. The present effective labor force is 247,000 (daily manshifts worked).

13. A large proportion of the new labor has been recruited within the Ruhr area, and this has had serious repercussions on the labor requirements of the railways and other key industries. It was necessary, therefore, in the early spring of 1947, to extend recruitment to areas outside the Ruhr, including the southern portion of the bizonal area. At the present time, there is a net increase in the total mining labor force of approximately 1,000 per week.

Training

14. The new labor recruited to the mines was almost entirely unskilled. So far as the adult labor was concerned, training merely consisted of working alongside skilled miners. In 1945 it was realized that attention would have to be given to the training of youths for the mining industry, since this would be the normal source of labor

for the future. It was considered advisable to restore immediately the training facilities, including the mining, technical, and training institutes. In December 1945 there were over 5,000 youths undergoing training in these schools. The present figure is 14,000.

Labor Relations

15. At the time of the occupation, there were no means of negotiation between management and labor. As an interim measure, workers' representatives were elected at each mine. Later, these were superseded by works' councils appointed in accordance with Control Council Law no. 22.

16. Meanwhile, progress was made in re-establishing the Miners' Trade Union, which was finally constituted toward the end of 1946. So far as possible, the trade union has been encouraged to perform its rightful functions within the industry. The views of the administrative board have been frequently obtained on matters affecting labor and the general running of the industry. The trade union leaders have taken an active part in the efforts of the men to step up production.

17. In this respect, the fact that the manshift output in 1938 was 1.5 tons as compared with approximately 1 ton at the present time should not be considered as evidence that the German miners today are not cooperative. Many factors are responsible for reduced efficiency, including uneven and often insufficient supplies of food, inadequate housing conditions, the unskilled character of a large portion of the labor force, and failures of equipment due to lack of maintenance and supplies.

18. In order that the mine workers may cooperate in the production of coal, a joint production committee has been established at each mine. Matters affecting production and the general working conditions of the mine are freely discussed between the members representing labor and management. In January 1947 the committees were coordinated with group and district joint production committees. This has enabled comprehensive plans for future development to be produced with the active participation of the workmen.

Mine Discipline and Denazification

19. Good relations between management and labor and good discipline are a prerequisite to efficient and safe working of the mines.

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20. Up to October 1946, when denazification was in progress in the mining industry, there was a constant feeling of insecurity among the managerial staff, engendered by threats of denunciation which were often a prelude to dismissal. This particularly affected the immediate supervisors, who are more intimately associated with the workmen, with the result that good discipline no longer existed.

21. In August 1946 a special commission was set up, fully representative of the industry, to complete the denazification of the mining industry. This commission finished its task in October 1946, and British Military Government thereupon announced the completion of denazification within the industry.

22. Matters then improved, but further unrest occurred when by quadripartite agreement "categorization" of former members of the Nazi Party was instituted this year. This, among other things, established a classification system determining the grade of employment, if any, for which such former members were eligible. An announcement was issued in July 1947 that although "categorization" would proceed, the report by the commission referred to in the preceding paragraph had already resulted in the denazification of the industry and that, therefore, no further dismissals could arise. Thus the feeling of uncertainty in the minds of the managerial staff has been removed and has resulted in improved discipline and better relations between labor and management.

Wages

23. During 1945 and 1946 it was apparent that the miner was dissatisfied with his wage position, in relation to other industries. The miners' wage was ninth on the scale of industrial wages, whereas for many years it had occupied first place. The position was improved late in 1946 when by quadripartite agreement the miners' wages were increased by 20 percent.

Social Insurance

24. The German coal miner had for a long time enjoyed a privileged position in respect of social security, with benefits and pensions higher than in any other industry. In 1945 and 1946, owing to internal financial difficulties, reductions were

made in the amounts paid to the miner and his dependents under the social insurance scheme. This caused considerable dissatisfaction, particularly with the older miners, and had an adverse effect upon coal production. Early in 1947 the full prewar benefits and pensions were restored.

Food and Other Incentives

25. The most important single factor affecting coal production since the occupation has been the food supply, which has fluctuated considerably during the past two years. Early in 1945 the basic food ration was 1,100 calories per day, but, by additional feeding at the mine canteens, the miner's ration was raised to 2,800 calories per day. By the middle of 1945, it was possible to increase the normal consumer's ration to 1,500 and that of the miner to 3,400 calories per day. This position was maintained up to March 1946.

26. On March 4, 1946, the normal consumer's ration was reduced to 1,014 calories per day and the miner's ration to 2,900 calories per day as the result of insufficient stocks of food. From June 24, 1946, the underground miners received daily extra sandwiches with a food value of 500 calories. In August 1946, 200 calories extra per day were given to all consumers in the large towns in the U.S. and U.K. zones and in small towns in the Ruhr area. In October 1946 the normal consumer's scale was raised to 1,550 and the miner's to 4,000 calories per day.

27. In March 1947 a critical food shortage again developed throughout the bizonal area, which was especially severe in the Ruhr. The reduced food deliveries were due in part to difficulties consequent upon the very severe winter and, for a time, to some delays in food arrivals from abroad, but to an even greater extent to the failure of the Germans themselves to collect the agreed quotas of food from indigenous sources. The normal consumer's ration was in effect reduced to about 1,200 calories, which meant that the miner averaged some 3,600 calories per day. In fact, he consumed less than this because he shared more of his ration with his family.

28. Food demonstrations broke out in the Ruhr area, including work stoppages causing serious losses in coal production, which did not start to recover until July when a better food situation developed.

29. During 1946 the possibility of providing incentives to production was discussed. The "points scheme" was evolved and introduced in January 1947. Under this scheme, the miner is able, by regular attendance and to some extent by improved productivity, to earn a number of points and coupons each month, enabling him to purchase additional food and consumer goods which are otherwise unobtainable. It is certain that the "points scheme" lessened the effect which the food shortage had on production in March of this year.

30. In July 1947, since production was not rising as had been hoped, consideration was given to additional incentives, and a new scheme was jointly adopted embodying three distinct phases, of which the last two also applied to the brown-coal workers.

Phase I. Applies to underground workers in each hard-coal mine which reaches a production target within a 16-week period, commencing July 28, 1947. This target is the highest level of production over a consecutive four-week period since the beginning of the occupation. Each underground worker in a mine which reaches or exceeds this target in a consecutive four-week period will receive one "ten-in-one" ration package, made available from United States Army stocks. Each package contains food with an equivalent of 40,000 calories.

Phase II. Guarantees to each employee of a mine which reaches its production target and maintains or improves it, that his total individual food ration will be met to the full calorie value, exclusive of any benefits under the "points scheme".

Phase III. Provides for setting aside a proportion of the foreign-exchange proceeds from the export of coal for the purchase abroad of food and consumer goods desired by the miner.

Miners' Housing

31. Immediately after occupation, it was recognized that improvement in the housing of the miners was a matter of major importance. In 1945 and early 1946, most of the repairs undertaken were carried out by the collieries. Considerable progress was made, in spite of the shortage of materials. By the middle of 1946, 95,000 miners' dwelling units in the Ruhr had been repaired.

32. At this time, a five-year plan for housing, including miners' housing, was formulated by the *Land* authorities. Execution of the plan was re-

tarded by shortage of materials, but 2,000 Nissen huts were obtained for conversion into dwellings, and a number of prefabricated houses were built. In April 1947 the Five-Year Plan was reviewed by a U.S./U.K. working party, and an accelerated two-year plan exclusively for miners' housing resulted. To produce the necessary materials for the latter plan, a special allocation of coal was made to the building industries, effective in July 1947.

Mine Repairs and Supplies

33. Another major problem facing the control authorities at the capitulation was the repair of the severely damaged mine plants. Despite much-depleted stocks of mining machinery and stores, temporary repairs were made at many of the colliery plants, and partial production resumed. Many of the working levels at a number of mines had been flooded, necessitating intensive de-watering with improvised equipment.

34. The potential capacity of the mines at the present time is 350,000 tons per day, given the men, materials, and the necessary transport. Any increase over this level will require extensive repairs and the provision of new machinery. This applies to many of the mines in production, the capacity of which is restricted by damage to shaft plant and other essential equipment, and also to the mines too badly damaged to be restored up to the present time. In order to restore the full pre-war productive capacity, it is estimated that the steel requirements alone will amount to between 1,500,000 and 2,000,000 tons.

35. The mining-supplies position has been difficult from the beginning of the occupation. Among other things, the materials which have been in short supply are: steel, chemicals, rubber belting and hose, electrical equipment, and miners' work clothing. The supply of pitwood has been a cause of anxiety. Even at the current production rate, stocks are far from adequate to ensure continuity of working.

Mechanization

36. Attention has been given to further mechanization of coal mining. Two important machines have been developed—the coal plough and the cutter-loader, both of which simultaneously extract and load the coal. The former has the

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wider application and has already demonstrated an increase of 30 percent to 40 percent in the man-shift output at the coalface where used. Although only in an experimental stage at the time of occupation, there are now some 30 of these machines at work and 23 complete installations are on order with the German manufacturers, for which the material is being made available.

Financial Condition of the Mines

37. Owing to the quadripartite policy of maintaining a price ceiling, the internal selling price of coal has remained fixed at an average of 15.75 R.M. per ton. With the low rates of output, production costs are far higher and even at the current rate of production are about 32 R.M. per ton. The operating losses from the date of occupation to June 30, 1947, are approximately 1,800,000,000 R.M. against which 1,202,000,000 R.M. have been advanced from central revenues.

Transportation

38. Throughout the period of the occupation, there has been a lack of adequate transportation to distribute coal. In the early months, good progress was made in the restoration of the railway system, the Rhine, and the canals. The debris from blown bridges was cleared away. Temporary bridges were erected to allow wider operation, and by the end of 1945 the transport of coal was possible by rail, road, and inland waterways. During early 1945 nearly 6,000,000 tons of coal and coke had been stockpiled in the vicinity of the Ruhr mines, because of destruction of the transport system during military operations. By December 1945 the transport system was not only moving current coal production but began to reduce the stockpiles. The situation improved during 1946, when all but the emergency stocks required at the collieries were moved.

39. During the last winter—the worst in 50

years—transportation became so seriously curtailed that only essential foodstuffs and a limited supply of coal could be moved at all. Furthermore, since the beginning of 1947, due to growing demands upon the transport system, it has again become a limiting factor, and stockpiles are once more accumulating at the mines, the free stocks now amounting to about 1,250,000 tons.

Production Trend

40. From a negligible output at the time of capitulation, production reached 60,000 tons per day in July 1945 and 167,000 tons at the end of the year. The increase continued in the early part of 1946 until by March production had reached 180,000 tons per day. The reduction in the food ration mentioned in paragraph 26 caused a decrease in output reaching its lowest figure in April with an average of 150,000 tons per day. Recovery after that was slow and uneven. Production did not again reach 180,000 tons per day until October 1946, when a higher food-ration level was established.

41. The stimulus of the wage increase in November 1946 and the introduction of the "points scheme" in January 1947 caused a considerable increase in output, reaching an average in March 1947 of 234,000 tons per day, with a peak production of 238,480 tons. Reference to paragraphs 27 and 28 will show the critical food situation which developed at this time. This had an adverse effect on production, and the daily average fell to 219,000 tons in April and 216,000 tons in May. The improved food situation in the Ruhr in July and August 1947, together with the implementation of the latest incentive scheme, has resulted in an increased rate of coal production, so that the average daily output for the month of August is 13,000 tons higher than in July, and on September 4 there was a new daily record, since the occupation, of 244,080 tons.

PART II. RECOMMENDATIONS

1. Management and Control

In accordance with the provisions of paragraph 3 of the fusion agreement of December 2, 1946,² the two zone commanders have had under consideration the establishment under their joint con-

trol of a German administration for the coal industry in the bizonal area. Provisional agreement has been reached between them on the steps necessary to achieve this.

Under this provisional agreement:

a. Responsibility for coal production would be

² BULLETIN of Dec. 15, 1946, p. 1102.

transferred to German hands through the establishment of a German Coal Management responsible to the U.S./U.K. military governments for the efficient operation of the coal industry.

b. There would be U.S./U.K. supervision of the German Coal Management through a U.S./U.K. control group, which would issue appropriate directives to the German Coal Management on behalf of U.S./U.K. military government.

c. The German Bizonal Economic Council will set up a department in the economic administration to undertake as one of its main responsibilities the functions normally exercised by a government department in respect to the coal industry.

d. Provision would be made for safeguarding the interests of non-German owners of coal-mining property.

e. The question of the ownership of the mines would not be affected.

We have had this provisional agreement under consideration and recommend its approval in principle by the two Governments.

We also recommend that as soon as the consultations on the provisional agreement now being conducted by the United States and United Kingdom Governments with the French, Belgian, Netherlands, and Luxembourg Governments have been concluded, the coal management agreement should be put into operation.

In the meantime, the first steps toward the replacement of the North German Coal Control by the U.S./U.K. control group provided for in the coal management agreement should be taken. The United States zone commander should accordingly appoint a United States official to act as joint chairman of the N.G.C.C. and an appropriate number of United States officials should be appointed to the N.G.C.C. to exercise such functions as may be determined by the joint chairmen. The N.G.C.C. should continue to operate, but with its composition thus amended would become an Anglo-American body acting under the direction of the bipartite board.

When the coal management agreement is brought into operation, the U.S./U.K. control group should be fully constituted, and the N.G.C.C. should cease to exist.

2. Food Supply

We have examined the food situation in Germany with special reference to its effect on mining

and coal production, and we are convinced that the most important single factor in increasing output is to improve the food position in the mining areas. It is the unanimous opinion of those responsible for coal production that the first essential step in this direction is to ensure that the present ration scale is regularly and punctually met.

We therefore attach particular importance to the regular and punctual honoring of the full 1,550-calorie ration in the mining districts and generally throughout the whole of the bizonal area at the earliest opportunity. The lack of adequate stocks has hitherto been one of the difficulties in maintaining regular distribution in meeting the official ration, particularly in the Ruhr and in large cities throughout the bizonal area. In order to provide a mechanism which, within the limits of the supplies available, will permit the most efficient distribution, we recommend that larger stocks be kept in such localities than in the bizonal area generally.

The regular and punctual honoring of the 1,550-calorie ration throughout the whole of the bizonal area, under the existing unsatisfactory world-supply situation, will be no easy matter, and much will depend upon Germany making the maximum contribution toward her own needs from her indigenous resources. If the time is reached when stockpiles can be further increased and additional supplies, both from indigenous resources and imports, are sufficiently assured, we recommend that successive ration increases toward the 1,800-calorie target should be made only when there is reasonable expectation that the higher ration level can be actually maintained. Consideration should be given to making increases first by a supplemental ration in large cities, for the reason that supplies of off-the-ration foods are known to be 50 to 100 calories less in such cities than elsewhere, and to treating small cities and towns in the Ruhr-Aachen area for this purpose upon the same basis as the large cities because the close proximity of so many small towns to each other is such that the condition of off-the-ration food is comparable to that of a large city.

We emphasize that the attainment of the 1,800-calorie target throughout the bizonal area at the earliest opportunity should continue to be our next objective. Without progressive improvement in ration scales, it will not be possible to produce

economic conditions within Germany which will enable the prewar coal production levels to be approached.

As we have already mentioned, it is imperative to ensure that the maximum available tonnage of indigenous foodstuffs is delivered up by the farmers. In order to achieve this we recommend that consideration should be given to the following measures:

a. Stricter enforcement of penalties for evasion and possibly an increase in the scale of those penalties;

b. The allocation of available supplies of fertilizer, seed, tools, and farm equipment in such a manner as to favor those farmers whose deliveries against collection quotas are most satisfactory;

c. The development of the inspection system, both German and Allied. In view of the difficulties in obtaining sufficient reliable German inspectors, spot-checking by competent Allied staffs under top-level supervision seems necessary on a larger scale than at present in force.

d. Adequate publicity concerning the results of collections in each *Land* and also as to the penalty systems in force and the methods of inspection employed.

We would also draw attention to the transport difficulties which during the past eight months have interrupted the regular supply of food to Germany. This has been partly due to the routing of food shipments to German ports only, and moving them thence over the German transport system with a view to avoiding external transit costs. To improve the future flow of food supplies to the Ruhr, consideration has already been given to the use of Rotterdam and Antwerp as entry ports as was the prewar practice. If the pending negotiations with the Netherlands and Belgian Governments for the use of Rhine ports can be brought to a satisfactory conclusion, an important step in ensuring regular food supplies to the Ruhr will have been taken.

3. Mine Supplies and Equipment

There is at present a considerable loss in coal output due to mechanical breakdowns. These mainly occur in badly worn parts of the equipment, which has been inadequately maintained since 1940. We believe it to be an essential prerequisite to increased coal production that the

deterioration of mining equipment be arrested forthwith and that it be brought into an efficient state of repair without delay. Therefore, we entirely agree with the recent decision taken by our two zone commanders to increase the allocation of steel for the mining industry. In addition, we recommend that certain essential short-term steel and other requirements for the mining industry be imported into Germany during the next six months so as to prevent further deterioration of equipment and put the industry on the way to recovery. Our proposals for this and for some immediate requirements of the transport industry envisage immediate imports by the Joint Export-Import Agency valued at about 25 million dollars. This is in addition to surplus Army property which is being made available.

We also call attention to the fact that, even at the current production rate, stocks of pitwood are far from adequate to ensure continuity of operations. We therefore recommend that steps be taken to accelerate delivery of pitwood from within the bizonal area and from the other zones in order to build up stock sufficiently before the winter.

So far as longer-term requirements are concerned, these have been put forward by the British zone commander, with the approval of his American colleague, to the Paris Conference and have not therefore been taken into consideration here. Such a longer-term program for rehabilitation and reconstruction, which will be necessary to reach a prewar coal production, including the financial implications, should be worked out by the two zone commanders and consideration given to its implementation during the next few months. It seems likely that the equipment demands of the German coal-mining industry can be met to such a substantial extent from German economy, provided financial assistance is forthcoming for the import of essential industrial raw materials.

4. Mechanization

We have considered how far German production could be increased by the introduction into the Ruhr of American mining machinery. After taking expert advice, we have reached the conclusion that, having regard to the natural conditions in the Ruhr coal field, the methods so successfully employed in the mining of coal in the United States are not immediately applicable. However, great

advantage might be derived from American technical experience and advice when further development is justified on the basis of available funds, labor, and materials; and we feel that consideration should be given at an early date to an expert engineering study of the Ruhr mines by representatives of the American coal industry.

5. Mine Workers' Housing

We have considered the current two-year program for improving miners' housing and find ourselves in general agreement with it. We are, however, concerned about the difficulty in the way of its execution which has arisen as a result of internal budgetary considerations. We recommend that ways and means be found to solve this problem.

Special considerations relating to coal mining and mine development seem to us to call for a greater voice by the industry in the housing of its employees than is normal in other industries. This has been recognized in the past and is evidenced by the fact that about 80 percent of the miners' houses are mine property.

We recommend that the U.S./U.K. control group, in consultation with the German Coal Management and the competent *Land* authorities, take the requisite action and work out whatever organizational adjustments are necessary to ensure that the detail programming of miners' housing and the provision and sub-allocation of materials are carried out in a manner to implement fully the two-year program.

6. Mine Workers' Incentives

We are of the opinion that the question of inducing workers in Germany to produce to their maximum capacity will not be fully solved until their efforts can be rewarded by payment in currency of more stable value with reasonable access to the goods of which they are in need.

The miner, on whose efforts the recovery of the whole country primarily depends, has been given special recognition. The privileges extended to him, which are tied partly to good attendance and partly to good production, have undoubtedly led to a higher coal output, and we are in agreement with them. But we consider that any further extension of them must be examined with the greatest care and in the light of the need to expand the remainder of German industry.

7. Wages and Social Security

We have examined the scale of miners' wages and are of the opinion that they are adequate in relation to those of other industries. At the end of 1946 they were raised by 20 percent and the mining employment is now amongst the highest paid in the bizonal area. We are similarly of the opinion that the social security of the miner is better preserved by his insurance benefits than that of any other worker.

8. Labor Recruiting

The coal-mining industry has enjoyed an overriding priority over the demands for labor from all other industries. The labor force, including surface as well as underground labor, has increased from about 132,000 in July 1945 to about 320,000 in June of this year. Recruitment is now on an entirely voluntary basis and is exceeding wastage by about 1,000 men a week. It is probable that recruits are almost all attracted by the incentive schemes and privileges which the miner enjoys over the remainder of the community. We consider that the present rate of intake is as high as existing facilities will currently accommodate. As other industries develop there may be a considerable shortage of labor between the ages of 18 and 40 because German manpower has been seriously depleted by war. Up to now a large part of the mining labor force has been recruited from *Land* North-Rhine/Westphalia which contains the industrial heart of Germany. It is important that the preference the coal mines enjoy should not unduly drain the remainder of industry of the manpower it requires. We therefore regard it as essential that recruitment for the mines should continue effectively over the whole of the bizonal area. This will also have the effect of impressing on the entire population the vital necessity for increased coal production.

9. Labor Relations and Collective Bargaining

We have examined the relationship between management and labor through the media of the Miners' Trade Union, Works Councils, and Joint Production Committees. We have no specific recommendation to make in this field other than to point to the necessity for financial reform without which the present wage ceiling cannot be lifted and the normal process of collective bargaining between the trade union and the management resumed.

10. Transportation

We are concerned about the inability of the transport system in the bizonal area to lift all the coal which is now available for use, and it appears to us that all the efforts which have been made and the measures now proposed to raise coal production will be of no avail if the transport capacity is not raised simultaneously.

The needs of German transport in the bizonal area have been set out in a paper for the Paris Conference which was prepared by the British zone commander with the approval of his U.S. colleague. From a study of this paper, the immediate needs of the railways appear to us to be beyond the present world availability, particularly in railway rolling stock, of which there is a dearth in every country. The only immediate short-term solution would appear therefore to lie in the greater use of road and water transport.

It appears to us essential that a detailed study of the transport problem in the bizonal area should be undertaken immediately, because if a solution is not found very quickly the attempts to raise coal production, which are now showing some results, will become abortive. The success which has attended the Berlin Coal Production Committee suggests similar treatment of the transport problem. Recently the two zone commanders have set up a committee to accelerate the rehabilitation of transport, and we heartily endorse this action.

With regard to the particular problem of coal, we are agreed that as a first step special measures must be taken to provide rolling stock to move the coal arising from increased production.

We therefore strongly recommend the following emergency measures:

a. The highest practicable priority should be given to the supply of steel and other materials necessary for the repair of the transport required to move coal.

b. Increased use of short-haul truck (road) transport to relieve the burden on rail. In March, as an emergency measure, 223,000 tons of coal a week were moved by truck (road). Recently less than 50 percent of this weekly tonnage was being moved by truck (road). The seriousness of the situation seems to us to warrant the maximum use of truck (road) transport.

c. Increased use of water facilities by complet-

ing negotiations with the Low Countries for use of their ports, barges, and tugs, to relieve rail facilities from Bremen and Hamburg.

d. Renewal of negotiations with neighboring European countries, particularly Czechoslovakia and Belgium, for repair of immobile rolling stock now in Germany.

11. Financial Position of the Mines

We have considered the question of the internal price of coal and feel that the present position, under which cost of production exceeds the selling price by as much as 16 reichsmarks per ton, is very unsatisfactory. We realize that as output increases production costs will fall, and the deficit per ton will gradually be reduced. We recognize the objections to an increase in the price of coal alone but feel that if no general adjustment in the internal price structure is at present possible some immediate increase in coal prices should be given serious consideration. Without this it will be impossible to establish healthy financial conditions in the industry.

12. Utilization of German Resources for Coal Production

It is recognized that breaking the bottleneck of coal production, which is necessary if Germany is to play its role in European economic recovery, is dependent on improved food supply and the development of the basic industries on which coal production depends, such as transportation, iron and steel, and electric power. It is therefore essential that the allocation of the limited resources available to Germany should take full account of this. There should be full realization of this need by Military Government and by German authorities at all levels. The latter should be invested with the necessary authority and held responsible for ensuring that the requirements which can and must be satisfied from the German economy are duly met, as the financial resources available will severely limit imports.

While recognizing the desirability of encouraging German responsibility for administration, we should insist that the German people and the German authorities adopt and implement all necessary measures of economy and self-help to achieve the program for increasing the availability of coal for Germany and for western Europe.

Twelfth Congress of the Universal Postal Union¹

The Twelfth Congress of the Universal Postal Union which was held at Paris, May 6 to July 5, 1947, was the first postwar meeting of the Congress. Eight years had passed since the Eleventh Congress was held at Buenos Aires in 1939, and consequently the Paris Congress was faced with manifold questions, of an administrative and procedural as well as a postal nature, which had resulted from the lapse of time and the changes in the political structure of some of the member states.

Items of an administrative and procedural nature considered by the Twelfth Congress of the Universal Postal Union included: (1) omission of the Spanish Government from the list of those invited to the Congress; (2) the status of the Baltic States of Estonia, Latvia, and Lithuania *vis-à-vis* the Union; (3) the current status of Germany, Japan, and Korea *vis-à-vis* the Union; (4) a *projet d'accord* between the United Nations and the Universal Postal Union; (5) the creation of a commission of the Union to act in the interim between Congresses; and (6) new membership provisions.

The Government of France, host country to the 1947 Congress, had not extended an invitation to the Spanish Government. A resolution of the General Assembly of the United Nations, adopted December 12, 1946, provided that the present Spanish Government could not become a member of any international organization which entered into relationship with the United Nations. In accordance with this resolution, the Paris Congress adopted a resolution which provided that although Spain should not be invited to the Twelfth Congress, that country would be allowed to resume her position as a member of the Union at such time as the resolution of the General Assembly was withdrawn or otherwise rendered meaningless.

In the early stages of the Congress, applications by Byelorussia and the Ukraine for admission to the Congress as new members of the Universal Postal Union were considered and unanimously adopted. The applications had been made

according to normal requirements of the Union, and, since these states were members of the United Nations, there was no opposition.

The question of the status of membership of the Baltic States of Estonia, Latvia, and Lithuania was introduced. After considerable discussion, the Congress voted that the Baltic States are not members of the Union.

The proposed agreement between the United Nations and the Universal Postal Union, pursuant to article 57 of the Charter of the United Nations, had been drafted in a conference of postal experts with the United Nations representatives in December 1946. This draft agreement was submitted to the Twelfth Congress of the Universal Postal Union for its consideration. A special negotiating committee consisting of appointed representatives of the Universal Postal Union and the United Nations reviewed the draft agreement and, after making a number of agreed changes, submitted the amended draft to the Congress, which approved it. This agreement, designed to bring the Universal Postal Union within the scope of the United Nations as a specialized agency, was to be submitted to the Economic and Social Council of the United Nations.²

Since the Postal Union had no body which could meet for the purpose of making studies of postal problems and solving controversial questions arising between Congresses, several proposals were introduced at the Twelfth Congress for establishing an administrative council for this purpose. The Congress accordingly undertook to establish an executive and liaison commission consisting of 19 members, of which 9 are from European countries, 5 from the Americas, and 5 from the rest of the world. The commission will exercise certain controls over the International Bureau at Bern, be available for consultation, and effect studies and

¹ Prepared in the Division of International Conferences, Department of State, on the basis of a report submitted by the U.S. Delegation.

² At its Fifth Session on August 4, 1947, ECOSOC recommended to the General Assembly that the agreement be approved.

make recommendations to the Universal Postal Congress, but it is without power to effect any actual change in the Congress itself. The following countries were elected members of the first commission: Argentina, Australia, Brazil, China, Colombia, Czechoslovakia, Egypt, France, India, Mexico, the Netherlands, Portugal, Sweden, Switzerland, Turkey, the Union of Soviet Socialist Republics, the United Kingdom, the United States, and Yugoslavia. At least half of the members will be replaced by each Congress, and no country may be a member three times in succession.

Final determination of the status of Germany, Japan, and Korea as members of the Union was made at the plenary session when it was voted that they be named as members in the preamble, with a paragraph in the final protocol stating that they are temporarily prevented from adhering but may become adherents when the "responsible authorities consider it opportune".

In regard to the action of the Congress on provisions of membership in the Universal Postal Union, a proposal of the United States for amendment of article 2 of the Buenos Aires convention of 1939 was adopted by the Congress. Under article 2 of the convention of 1939, any country was permitted to become a member of the Postal Union merely by giving notice of adherence to the Swiss Government through diplomatic channels. The Congress amended this article so that a favorable vote of two thirds of the members of the Universal Postal Union is required for the admission of new members.

In addition to problems of an administrative and procedural nature, it was necessary for the Congress to consider some 700 proposals dealing with modifications in the technical provisions of the conventions and the related agreements. Many of these were rejected after careful study. The more important proposals which were accepted by the Congress are discussed below.

Many countries brought out the fact that the low postage rate authorized for printed matter, commercial papers, and samples of merchandise resulted in loss to the postal service in handling these classes of mail matter. After considerable discussion the Congress decided to increase the rate from 4 centimes (1.3 cents) for each two ounces to 8 centimes (2.6 cents) for the first two ounces and 4 centimes for each additional weight

unit of two ounces. It was expected that this change would probably make it necessary to increase the United States postage rate for printed matter, commercial papers, and samples of merchandise from 1½ cents for each two ounces to 2 cents for the first two ounces and 1½ cents for each additional unit of two ounces. Also, the maximum weight limit for printed matter in general was increased from 4 pounds 6 ounces to 6 pounds 9 ounces. For single volumes the maximum weight was increased from 6 pounds 9 ounces to 11 pounds. It was believed that this change would prove a convenience to mailers of printed matter and would facilitate the exchange of printed information with foreign countries.

The existing convention, which provides for a special reduction of 50 percent for newspapers and periodicals upon agreement between the country of origin and the country of destination, was modified to permit the granting of reduced rates at the option of the country of origin.

In order to prevent the deliberate mailing of large quantities of unpaid or short-paid letters and postcards, provision was made to return such articles to the senders when it appeared that large quantities were being posted with a view to avoiding prepayment of postage.

A new service authorized by the Paris Congress permits senders to obtain receipts from the addressees only in the case of registered articles for which such a return receipt has been requested. This new service is expected to be of interest to persons in the United States who are endeavoring to locate friends or relatives who have been displaced due to war conditions. The article covering franked mail was changed to assure the granting, to interned civilians during times of war, the franking privilege granted to prisoners of war.

Many countries were of the opinion that, in view of the depreciated value of currencies, the indemnity of \$16.33 (50 gold francs) payable to senders for loss of registered articles should be materially reduced. Some difficulty was experienced in deciding the extent of reduction to be made, but after careful consideration the indemnity was finally fixed at \$8.16 (25 gold francs). This policy was expected to reduce the expenses of the Post Office Department in settling indemnity claims and to make it possible to effect sav-

ings in the general expenses connected with registered articles.

The Congress formed a special transit committee to make a complete study and submit recommendations to the members of the Postal Union concerning the revision of transit charges for regular mail articles and the procedure to be followed in accounting for such charges. This committee, of which the United States is a member, will probably meet at Bern sometime in 1948. It will be necessary to make a study of the transit charges and assemble complete data relative to the flow of the mail, in order that such information may be used as a basis for adjustment in the transit rates and the system of accounting. It is believed that the formation of this committee is an important step in the direction of solving transit questions which have caused difficulty at many previous postal congresses.

The Paris Congress authorized the bulk billing of registered prints when the administrations concerned do not object. A special effort will be made to introduce this new feature in the exchange of this class of mail between the United States and foreign countries. Many countries in Latin America send large quantities of prints of nominal value in the registered mails. If the countries concerned would consent to the bulk billing of such prints, it would materially reduce expenses in connection with the handling of registered matter.

The Congress adopted a provision restricting the number of registered articles in a single sack to 600 wherever possible. It was felt that the delivery of the articles would be expedited in many cases if sacks did not contain over 600 registers. With a view to accommodating concerns sending a large volume of prints to a single addressee, arrangements were made to include the mails in separate sacks bearing the name and location of the addressee. Adoption of this provision should help to reduce the work of the postal service and expedite delivery of the mail.

Heretofore, when debtor administrations issued checks or drafts in settlement of transit accounts, the creditor country was responsible for losses and received any profits due to fluctuations in exchange rates which occurred between the date of drawing of a check or draft and the date of receipt of the instrument in the country of destination. The

Paris Congress modified this provision to distribute the expenses between the debtor and the creditor country except in certain cases when the debtor administration would be held responsible for any loss incurred. Also, creditor administrations have been authorized to demand that the conversion of the balance shown in gold should be effected according to the gold value of its own currency fixed by the International Monetary Fund. Further study and experience will be necessary to determine the exact effect of these changes.

A number of countries attending the Paris Congress were in favor of considering the use of air routes rather than the normal routes for the transportation of all letter mail. However, other countries brought out the fact that although air transportation was developing rapidly as a normal means of transportation, the cost of the service was still too high to permit the dispatch of all letter mail by air.

In the past, postal administrations had been permitted to fix transportation charges and postage rates for air mail with very little restriction. The Congress decided that air service has not reached the stage where it is the most important means of sending letter mail and should, therefore, be regulated so as to bring about lower and more uniform charges for transportation and postage. Accordingly, maximum transportation charges and postage rates were fixed for the transportation of air mail.

Maximum postal surcharges, based on two classes of air service, were established: one type of service was classified as Category A and designated as European air service, air service in a country, and other air services of a similar character; the other type of service was referred to as Category B and designated as international service, which is more expensive to operate. The maximum surcharge which might be collected for Category A service was fixed at 7½ centimes (2½ cents) for 20 grams (1 ounce) for each 1,000 kilometers (621 miles), and for Category B, 15 centimes (4.9 cents) for the same weight unit and distance. Surcharge for articles other than letters, post cards, money orders, and collection orders may be reduced to a minimum of one fifth the rate for first class articles.

The transportation charge (paid the carriers) fixed by the Paris Congress for Category B service corresponds almost exactly with the charges es-

ACTIVITIES AND DEVELOPMENTS

established by the United States Post Office Department on January 1, 1947, that is, \$2.86 per ton mile. The maximum of \$1.43 per ton mile fixed for Category A service was considerably in excess of the charges collected for interior (domestic) service in the United States.

In view of the reduced postage rates and transportation charges recently established by the United States, the modifications in surcharges and transportation charges are not expected to require substantial changes in this country's present system. However, it seems probable that the United States might find it advantageous to make a downward adjustment in the transportation charges collected from foreign countries for service within Europe in order to protect the interests of United States carriers.

The fixing of maximum transportation charges is expected to make it necessary for a number of foreign countries to reduce the rates collected from the United States when this country forwards mail by a carrier which operates for the account of a foreign country. Also, the fixing of maximum surcharges and transportation rates is expected to bring about more uniformity in the serv-

ice and result in the conveyance of a greater volume of mail by air.

One optional provision adopted by the Congress provided that mail conveyed by Category A service should not bear any surcharge for distances under 2,000 kilometers (1,242 miles). This provision was of particular interest to countries in Europe, as it is believed that many European countries have the intention of employing air service for all letter mail addressed to other European countries.

A number of additional changes were adopted at Paris with a view to improving the postal service throughout the world and bringing about a clearer understanding of the convention and regulations. These changes relate to such matters as the modification of the convention between congresses; the handling of dutiable articles in the mails; the treatment of special delivery articles; the withdrawal and change of address of correspondence; the preparation of dispatches; the establishment of uniform forms for international mail; and the publication by the International Bureau of more complete information covering the postal services throughout the world.

Plans for Third Meeting of U.S. National Commission for UNESCO

[Released to the press September 8]

Plans have been completed for the third meeting of the United States National Commission for UNESCO, it was announced on September 8 by Assistant Secretary of State William Benton. The Commission of 100 members, including representatives of 60 national organizations, will meet September 11 to 13 at the Congress Hotel in Chicago. David Sarnoff, President of the Radio Corporation of America, on September 12 will address a luncheon meeting of the Commission, held under the auspices of the Chicago Council on Foreign Relations. His subject will be "Freedom To Listen and Freedom To Look."

The main item on the agenda of this meeting of the National Commission will be the 1948 program of the United Nations Educational, Scientific and Cultural Organization. Recommendations made by the Commission will guide the American Delegation to UNESCO's General Conference, which will meet in November at Mexico City. Under the

general title, "How Can UNESCO Help Tip the Scales for Peace?" five section meetings will consider UNESCO's role in raising educational and cultural standards, the free flow of ideas, education for international understanding, and basic studies of man and the modern world. A fifth section will review the relationship between UNESCO and other international bodies. Chairmen of the section meetings will be: George F. Zook, President of the American Council on Education; Luther H. Evans, Librarian of Congress; Mrs. Quincy Wright, Chairman of the Chicago Council on Foreign Relations; Arthur H. Compton, Chancellor, Washington University, St. Louis; and Donald C. Stone, Assistant Director of the Bureau of the Budget.

The Commission will also consider proposals submitted by its Committee on Information for enlisting wide-spread popular interest and participation in UNESCO's program. These proposals will be presented in a pamphlet entitled *UNESCO*

and *You*, which will be released at the meeting of the Commission.

A special feature of the meeting will be a report by Thomas G. Pullen, Chairman of the Commission for International Educational Reconstruction, the coordinating body in the campaign of some 300 American voluntary organizations which are making contributions in goods, money, and services to the educational rehabilitation of war-devastated countries.

Presiding at the meetings will be Milton S. Eisenhower, President, Kansas State College of Agriculture and Applied Science, and Chairman of the Commission.

U.S. DELEGATION TO EXECUTIVE COMMITTEE AND DIRECTING COUNCIL OF PAN AMERICAN SANITARY ORGANIZATION

[Released to the press September 10]

The Department of State has announced the composition of the United States Delegation to the meetings of the Executive Committee and of the Directing Council of the Pan American Sanitary Organization, which are expected to be held September 22-23 and September 24-October 4, 1947, respectively, at Buenos Aires, Argentina. The delegation is as follows:

Chairman

Thomas Parran, M.D., Surgeon General, U.S. Public Health Service, and U.S. Representative on the Directing Council and Executive Committee

Advisers

James A. Doull, M.D., Medical Director, Chief, Office of International Health Relations, U.S. Public Health Service, and alternate U.S. Representative on the Directing Council and Executive Committee

Louis J. Halle, Jr., Assistant Chief, Division of Special Inter-American Affairs, Department of State

Among the items on the tentative agenda for the Directing Council are the following: (a) approval of a new draft constitution for the Pan American Sanitary Organization; (b) the relationship of the Pan American Sanitary Organization to the World Health Organization; (c) rules and regulations of the Pan American Sanitary Organization; (d) a reorganization plan and budget for the Organization; (e) an increase in the quota from \$0.40 to \$1.00 per thousand inhabitants, with provision for voluntary contributions; and (f) the election of two countries to succeed

Argentina and Chile on the Executive Committee.

The Executive Committee and the Directing Council were set up in accordance with a directive of the Twelfth Pan American Sanitary Conference (Caracas, January 12-24, 1947) which authorized the reorganization of the Pan American Sanitary Bureau, a body established in 1902 as the central coordinating agency for public health in the American republics. The Council and its Executive Committee perform the executive functions of the Pan American Sanitary Organization between sessions of the Conference. The Directing Council, elected by the Pan American Sanitary Conference, will meet annually. Its membership is comprised of the 21 American republics.

The Executive Committee, elected by the Directing Council, performs executive functions between meetings of the Directing Council, including the preparation of the agenda for the Council meetings. This body, which convenes semi-annually, held its first meeting in April 1947. Seven American republics are represented on the Executive Committee.

THE CONGRESS

Return of Italian Property: Hearing before the Committee on Interstate and Foreign Commerce, House of Representatives, 80th Cong., 1st sess., on S. J. Res. 138, joint resolution to provide for returns of Italian property in the United States, and for other purposes. July 17, 1947. iii, 33 pp.

Air Policy Board: Hearing before a Subcommittee of the Committee on Interstate and Foreign Commerce, United States Senate, 80th Cong., 1st sess., on S. 293, a bill to amend the Transportation Act of 1940 so as to establish a National Air Policy Board, and for other purposes; and S. 1276, a bill to provide for the establishment of a National Air Policy Board. May 17, 1947. iii, 81 pp.

Overseas Air Transportation: by Steamship Operators, by a Consolidated Air Carrier: Hearings before the Committee on Interstate and Foreign Commerce, House of Representatives, 80th Cong., 1st sess., on bills relative to overseas air transportation. April 22, 23, 24, 28, 29, 30, May 1, 2, 5, 6, 7, 8, 10, 12, 13, 14, 15, 16, 1947. vii, 1583 pp.

Amend the Constitution With Respect to Election of President and Vice President (To Abolish the Electoral College System, Etc.): Hearings before Subcommittee No. 1 of the Committee on the Judiciary, House of Representatives, 80th Cong., 1st sess., on H. J. Res. 9, H. J. Res. 69, H. J. Res. 106, H. J. Res. 108, and H. J. Res. 124, proposing an amendment to the Constitution of the United States providing for the election of President and Vice President. June 9 and 11, 1947. Serial No. 9. iii, 105 pp.

THE RECORD OF THE WEEK

Interim and Long-Term Problems of European Reconstruction

STATEMENT BY THE SECRETARY OF STATE

[Released to the press September 10]

We have been following carefully the reports of the economic situation of the various European countries.

We see the requirements of these countries as falling into two phases of one program: first, some form of interim assistance to meet the immediate threat of intolerable hunger and cold; and second, the general program for rehabilitation of the respective economies.

The nature of the long-term problem of European reconstruction and our attitude toward it remain unchanged. But the short-term problem has become more immediate. Bad droughts, following an unusually severe winter, increasing crop shortages, and restrictive financial measures which certain European governments have already been obliged to take, have had serious repercussions and have accelerated the need of some European countries for assistance in reducing hunger and cold this winter.

In these circumstances this phase of the require-

ments will clearly have to be given our urgent consideration and cannot await the completion of the broader study which the over-all program demands.

We expect that, by the latter part of October, we will have available working papers on the basis of which the appropriate Congressional committees could undertake consideration of means to supplement European supplies of food and fuel for the coming winter where it can be shown that every effort has been made locally to meet the critical needs. The majority of the Congressional committees visiting Europe will have returned by that time. We hope that shortly thereafter the complete data for the European recovery program can be screened and made available in order that the problem may be faced in its entirety and that any action taken to meet immediate needs may be correlated into the general program.

The question of how the necessary Congressional authority is to be obtained must await developments of the next few weeks.

Position on New Greek Government

STATEMENT BY THE SECRETARY OF STATE

[Released to the press September 10]

I am gratified that recent negotiations among Greek leaders have resulted in a government based on a coalition between two historic Greek parties, the one representing the largest single Parliamentary group and the other the party which has hitherto led the Parliamentary opposition. A government of national unity at this time demon-

strates the desire of loyal Greek political parties to subordinate partisan differences and to work together in accord for the welfare of the Greek nation. I hope that this agreement foreshadows a happy future of cooperation and confidence among the Greek people in facing their serious national problems.

White Paper on the United Nations and the Problem of Greece

[Released to the press September 13]

The Department of State released on September 13 a white paper dealing with the United Nations and the problem of Greece. This publication is being issued at this time because the United States considers that the threat to the political independence and territorial integrity of Greece is one of the most critical international problems of the day. At the request of the United States, after three U.S.S.R. vetoes in the Security Council prevented the solution approved by nine members of the Council, this problem was placed on the agenda of the forthcoming meeting of the United Nations General Assembly.

The white paper consists of three chapters and an appendix of significant documents. The three chapters respectively deal with (1) the history and organization of the U.N. Commission of Investigation Concerning Greek Frontier Incidents; (2) the evidence, conclusions, and proposals of the Commission; and (3) the consideration of the Commission's report by the Security Council and an analysis of the positions taken by the United States and other members of the Security Council. The second chapter, dealing with evidence, shows

clearly that in the opinion of eight of the eleven members of the Commission, Yugoslavia, Albania, and Bulgaria have been giving direct aid to the Greek guerrillas.

The documentary appendix to this pamphlet illustrates the development of the problem before the United Nations. A comparison, for example, may be made of the conclusions reached by a majority of eight members of the Commission with the conclusions of the Soviet and Polish members. A similar comparison is provided of the United States resolution which was vetoed by the U.S.S.R. on July 29 with the resolution submitted by the U.S.S.R. The document contains the report of the Subsidiary Group of the United Nations Investigation Commission, which is currently on the border, concerning the refusal of Albania, Bulgaria, and Yugoslavia to cooperate with it and the Subsidiary Group's report concerning the complicity of Albania in the Konitsa incidents of July 12-13, 1947.

This publication (2909, Near Eastern Series 9) is available from the Superintendent of Documents, U.S. Government Printing Office, Washington 25, D.C., for 45 cents.

Yugoslavs Charged With Detention and Mistreatment of Allied Military Personnel

PROTEST SUBMITTED DEMANDING IMMEDIATE RELEASE

[Released to the press September 12]

The Department of State has instructed the American Ambassador at Belgrade to present a vigorous protest to the Yugoslav Foreign Office concerning the following instances of unwarranted detention and maltreatment of Allied military personnel by Yugoslav authorities reported to the Combined Chiefs of Staff by the Supreme Allied Commander, Mediterranean, Lt. Gen. J. C. H. Lee.

On August 20, 1947, the Supreme Allied Commander, Mediterranean, reported that five riflemen of A Company, 1st Battalion, King's Royal Rifle

Corps, who were seized on June 16 in the area of Duino in Zone B and were returned to Zone A on July 19, suffered serious maltreatment while detained by the Yugoslavs, in that they were detained without justifiable reason from June 16 to July 19; that they were confined to a room lacking sanitary toilet facilities; that no or insufficient exercise periods necessary for the maintenance of good health were permitted; and that the food was inadequate and inedible. Upon their release by the Yugoslavs, all five soldiers were hospitalized with gastroenteritis; one also had typhoid fever attributable to the bad food and water given them

during confinement. The Supreme Allied Commander, Mediterranean, also reported an incident occurring March 1, in which a British officer was disarmed, undressed, and searched.

The Supreme Allied Commander, Mediterranean, further reported that a United States Army officer and a United States Army enlisted technician were forcibly seized while fishing on the Isonzo River near Plezzo on August 9. It has not been established whether the seizure was effected in Zone A or B, and it probably will not be established until these personnel are released.

On August 21 the Supreme Allied Commander, Mediterranean, reported that two British seamen from His Majesty's Ship *Ajax* were apprehended in the Pola area on August 1, presumably after having entered Zone B on their own initiative, and that three British soldiers of the 2d South Lancashire Regiment were arrested in the area of Albano Vescova while on patrol on August 2. It is believed that the British soldiers were in Zone A when arrested but it is impossible to confirm this until the return of the patrol. The disappearance of the seamen and soldiers was reported to the Yugoslav Military Mission on August 5 and

August 6, respectively, both times without result.

On September 4 the Supreme Allied Commander, Mediterranean, further reported the seizure of two British soldiers by the Yugoslavs in the vicinity of Pola on August 21.

The American Ambassador has been instructed to demand immediate release of all United States and British military personnel now being detained by the Yugoslav authorities.

Reginald E. Gilmor Heads Industry Division of AMAG

The Department of State announced on September 9 the appointment of Reginald E. Gilmor as Chief of the Industry Division of the American Mission for Aid to Greece. Mr. Gilmor was scheduled to leave New York on September 9 for Athens to join the Mission.

The Industry Division will act as adviser to the Greek Government on the reconstruction and rehabilitation of Greek industrial production and will advise the Government on the possible development of new industries designed to curtail import needs and increase the export potential of Greece.

Geneva Draft of ITO Sets a Practical Pattern for World Trade

BY UNDER SECRETARY CLAYTON¹

It is a pleasure to have this opportunity to tell my friends in America something about the new charter for world trade. This charter, as you know, was completed by a committee of 17 nations in Geneva last month and will be considered by 50 or 60 nations at a world conference that will meet in Habana in November. In the meantime, the countries at Geneva are continuing to work out a definite agreement to lower barriers to trade among themselves. This agreement will cover more countries, more products, and more trade than any previous agreement in the history of the world, and its completion should go far toward getting the Habana conference off to a good start.

¹ Address broadcast from Paris on Sept. 10, 1947, and released to the press on the same date. Mr. Clayton is Chairman of the U.S. Delegation to the Preparatory Committee of the International Conference on Trade and Employment held at Geneva; he is Under Secretary of State for economic affairs. The address was carried over the CBS national network.

When the United States made its first proposals for a charter setting up an international trade organization, it faced a world in which the normal patterns of trade had been disrupted by the war. Production was cut down, business was dislocated, and the economic and political future was filled with uncertainty. In such a situation we might have decided to postpone our proposals until things got back to normal, but we knew if we did so that nations might set up a whole series of new restrictions that the world might never succeed in breaking down; so we went ahead, and I think that the results already achieved at Geneva have demonstrated that we chose the wiser course.

The question is often asked whether the present financial difficulties of some of the countries in Europe and the plans they are drawing up in response to the proposal made by Secretary Marshall do not mean that our trade program has lost its importance for the time being. The answer is

emphatically no. The plans now being drawn up relate to the emergency needs of one part of the world. The trade program has to do with the long-run needs of the whole world. The two are interdependent. Neither can be wholly successful without the other. Both are part of a common policy. If we cannot ease the burdens of Europe in this emergency, our chances of reducing the barriers to trade will not be good. But the reverse of this statement is just as true. If we cannot reduce the barriers to world trade and thus make possible a great expansion in the production, distribution, and consumption of goods throughout the world, there is little hope that any aid we may extend under the Marshall proposal will accomplish its purpose or be more than a stopgap measure.

As the United States approached the problem of postwar trade policy there were three courses it might have pursued. First, it might have concluded that the rest of the world was so committed to restrictionism that the attempt to tear down the barriers to trade was hopeless. It might have washed its hands of the whole job and tried to live to itself. But we must remember that we are part of an interdependent world. Prosperity and peace for us depend on prosperity and peace for everybody else. Economic isolation is clearly impossible. Second, the United States might have sought to lay down a simple set of idealistic principles to govern world trade and tried to persuade the other nations of the world to accept it. But trade is a complicated business and the times in which we live are full of difficulty. Other nations have their own problems and their own policies. No simple set of rules could be accepted. No rigid set of rules would work. If we are to be realistic we must be practical, and if we are to be practical I am afraid that we must deal with details. If we are to have a world trade charter it must be a charter that will fit the facts. Third and last, we could have sought a realistic document, one that would meet the practical problems of the real world. Such a charter would set forth fundamental principles on which all nations could agree, but it would also make such detailed provisions as might be required to meet emergencies and to fit diverse national economies into a common pattern of world trade. This is the only kind of a charter that would actually work. It is the only kind that would provide us with a real alternative to anarchy and chaos in

the commerce of the world. It is the kind of a charter that the United States has always sought and it is the kind that was adopted in Geneva last month. This charter sets up an international trade organization to support and strengthen the International Bank for Reconstruction and Development and the International Monetary Fund, but it does more than that. For the first time in history it asks all nations to commit themselves in a single document to a policy of nondiscrimination in their customs charges and requirements and in their internal taxation and regulation.

Under such a policy each country will impose the same duties and requirements at its customs houses to the goods that come from every other country, and it will impose the same internal taxes and regulations on its own goods that it imposes on goods that come from abroad. The charter asks the members of the new trade organization to do away with all other forms of discrimination. It asks them to reduce tariffs and other barriers to trade and it lays down detailed rules to insure that the freedom that is gained by reducing visible tariffs shall not be lost by building up invisible tariffs.

It also lays down rules under which import and export quotas (the most serious of all forms of trade restrictions) can be limited, controlled, and eventually abandoned.

The charter makes the first attempt in history to apply uniform principles of fair dealing to the international trade of private enterprise and public enterprise.

It makes the first attempt through intergovernmental action to eliminate the abuses arising from the operations of international monopolies and cartels.

It spells out for the first time a code of principles to govern the formation and operation of intergovernmental commodity agreements.

It marks the first recognition in an international instrument of the interdependence of national programs for the stabilization of production and international programs for the liberation of trade.

It recognizes the interdependence of international private investment and the economic development of backward areas and emphasizes the importance of such development to the well-being of all the peoples of the world.

Back of these general purposes and principles

there are many details, and the delegates at Geneva have been spending most of their time on these details. It will be remembered in this connection that our Government took the earlier draft of the charter to the American people in public hearings in seven cities in February and March of this year and asked them for their criticisms and suggestions. Almost all of the points which were raised at these hearings were incorporated in amendments which were introduced by the American Delegation at Geneva, and I am now glad to report that we were successful in obtaining all of these changes in the final draft. The present charter should therefore be closer than the preceding versions to the desires of business, agriculture, and labor in the United States.

There are four criticisms that have been made by people who have examined the charter, and I should like to say a word in conclusion about each of them.

First, it is said that the charter is idealistic. In one sense this is true. In another sense it is not. The charter is idealistic in that it establishes objectives toward which all countries can agree to work. It draws on the experience of the past, but it does not direct itself to the problems of the past. It sets up goals for the future, but it does not limit itself to provisions that can only work in normal times. It is concerned with the actual problems of the work-a-day world, and in this sense its idealism is tempered with a realism that is clearly practical.

Second, it is said that the charter contains a great many exceptions, and this is true. But these exceptions are carefully defined. Many of them are temporary; all of them are limited in extent; and no nation will be able to use any of them unless it satisfies the conditions upon which all nations have agreed. If it were not for the exceptions, the charter would not be practical, and it is because it is practical that it can be expected to work.

Third, it is said that the charter is a compromise. So it is, and so is almost every law that was ever passed by Congress or by the legislature of any state. So is every treaty between any two powers. So are the Charter of the United Nations and the constitutions of every international agency that has been established since the war. Compromise is a virtue, not a defect. It means that the charter will not be imposed by force, that it will not be rejected because it is one-sided

but that it can be voluntarily accepted because it meets the needs of every country in the world.

And finally, it is said that the charter is long and complicated, and this is true. It contains nine chapters, one hundred articles, and several thousand words. It is probably shorter than some acts of Congress; it is certainly simpler than the income tax law; but it is still long and complicated. It is complicated because the laws and regulations that govern international trade are complicated. It is complicated because it is realistic and practical, but the multitude of technical detail in the document serves only to emphasize the solid basis of agreement that has been achieved.

The important thing that we should recognize is this: the conference now drawing to a close in Geneva is a landmark in the history of international economic relations. It has covered the longest period in diplomatic history of intensive collaboration on a single document. This committee of 17 nations started its work in London in October and November last year, carried forward in New York in January and February and completed it in Geneva by working continuously from April to the end of August. It has demonstrated that nations, when they have the will to do so, can work together peacefully and productively for common ends.

This conference, moreover, has covered a wider range of problems than has ever been tackled by any other economic conference in the history of international affairs. It has produced and written into a single document not one agreement but six—one on trade policy, one on employment, one on economic development and international private investment, one on cartels, one on commodity arrangements, and the constitution of a new United Nations agency in the field of international trade. The successful completion of any one of these agreements would have been an occasion for congratulation. The completion of all six of them in the troubled times in which we live is little short of a miracle.

The work on the world trade charter is not yet done; it goes to the conference at Habana in November; it goes to parliaments and to Congress in the United States next year. In the meantime, I hope that the American people will study it, analyze it, criticize it, and decide that they will give it their support.

The Power and Responsibilities of Freedom

BY ASSISTANT SECRETARY SALTZMAN¹

Here in Philadelphia, just a few blocks away, a group of men met more than a century and a half ago to do something about their government. Several years had passed since they and their fellow Americans had won their freedom and with it the right to decide the form of government under which they were to live.

With old-world tyrannies fresh in their memories, the delegates to the Constitutional Convention of 1787 were united in the determination to fashion a government that would be representative of the people and responsive only to the will of the people. The measure of their success is the Constitution of the United States, which guarantees every American the right to think, speak, and worship according to the dictates of his conscience, which raises the sovereignty of the soul above the sovereignty of the state, and which permits the individual all possible liberty under law in achieving a full life.

For Americans this city is the birthplace of freedom. The men who met here held in their hands a priceless and unique possession—the power of choice. We Americans, who have prospered for generations under the flag they made free, like to think that they used that power wisely. We are convinced that the principles of democracy which have survived unchanged from Jefferson's and Washington's day have been our pillar of strength. We are satisfied that our form of government, for us at least, is best.

Whether or not this form of government is best for other nations is not for us to say. Because we have prospered under it, we hope that a large majority of the other peoples of the world will profit by our experience in choosing a democratic form of government. However, it is not our intention to impose our way of life on other nations. That in itself would be undemocratic. Our only purpose is, in so far as possible, to give other nations the opportunity to decide these matters for themselves, free from coercion.

President Truman made clear the position of the United States when he addressed the Congress in March of this year² with these words:

"At the present moment in world history nearly every nation must choose between alternative ways of life. The choice is too often not a free one.

"One way of life is based upon the will of the majority, and is distinguished by free institutions, representative government, free elections, guarantees of individual liberty, freedom of speech and religion, and freedom from political oppression.

"The second way of life is based upon the will of a minority forcibly imposed upon the majority. It relies upon terror and oppression, a controlled press and radio, fixed elections, and the suppression of personal freedoms."

President Truman went on to say:

"I believe that it must be the policy of the United States to support free peoples who are resisting attempted subjugation by armed minorities or by outside pressures.

"I believe that we must assist free peoples to work out their own destinies in their own way.

"I believe that our help should be primarily through economic and financial aid which is essential to economic stability and orderly political processes."

These are the responsibilities of freedom as expressed by the leader of a powerful, freedom-loving people. What, then, are the specific problems, and what are we doing about them?

Today the world's economy is at an extremely low ebb. This condition can be attributed, in the first place, to the factors arising as a direct and inevitable consequence of war and, secondly, to

¹ Address delivered before the International Council of Women in Philadelphia, Sept. 11, 1947, and released to the press on the same date. Charles E. Saltzman is Assistant Secretary of State for occupied areas.

² BULLETIN of Mar. 23, 1947, p. 534.

other factors which have impeded and retarded efforts at recovery.

Global war, by definition, means not merely the effort to destroy and disrupt the military forces of the enemy; it means also the effort to destroy and disrupt the economic life which supports the enemy. Thus the heritage of war in nearly all European countries is the disastrous loss of significant elements of the economy itself—the destruction of plants and equipment; the exhaustion of the people; the depletion of financial reserves, particularly in foreign exchange; and the break-down of the machinery of economic intercourse. Let us examine these factors in more detail.

One of the most important of the physical factors retarding the recovery of Europe is coal. Fuel for industry, transportation, power, and heating is vital, but coal production in Europe is far below normal. In the Ruhr, greatest source of supply, current production is 240,000 tons per day, or 55 percent of the prewar rate. Despite shipments from the United States averaging more than 2½ million tons per month, there is still a serious shortage. The effects are wide-spread. For example, the Scandinavian countries—Sweden, Norway, and Finland—normally import coal from Germany, Poland, and Britain. For lack of adequate supplies they are burning wood. The result is a serious curtailment in the export of badly needed lumber—lumber which, among other things, is used as pit props in underground mining in the Ruhr and to construct housing for the miners who dig the coal. Here is just one of the countless cases where one evil creates another, commencing a vicious economic circle.

Transportation is another bottleneck. Freight yards, tracks, bridges, and rolling stock were favorite targets of bombing attacks, with the result that badly crippled transportation is now imposing a curtailment of economic activity. Although there is no immediate crisis at present except for Germany and Austria, where break-down threatens, the situation is not sufficiently good to permit a general trade revival. The critical test for transportation in Europe, however, will come this fall when seasonal demands in some countries may rise by 70 percent.

Another serious deficit is food, which is appreciably below prewar production. Years of farming without fertilizer, combined with the virtual

disappearance of agricultural machinery and the destruction or dislocation of farm families, are the major causes. Unusually bad weather conditions have aggravated the critical food shortage and further reduced the already low standard of living. Millions of families are barely able to scrape together enough simply to exist—to prevent disease and starvation. This situation has had its inevitable effect on the people's morale. The psychological impairment of the productivity of workers is another sizeable factor which is retarding economic recovery.

Not only are these essentials to production at such a low ebb—physical capacity, coal, transportation, and food—but the normal ways of doing business have been disrupted, thus limiting the exchange of goods both within and between countries. For example, the farmer has always produced the foodstuffs to exchange with the city dweller for the other necessities of life. At the present time, however, this division of labor is threatened with a break-down. The town and city industries are not producing adequate goods to exchange with the food-producing farmer. Raw materials and fuel are in short supply. Machinery is lacking or worn out. The farmer or the peasant cannot find the goods for sale which he desires to purchase. So the sale of his farm produce for money which he cannot use seems to him an unprofitable transaction. Therefore, he has withdrawn many fields from crop cultivation and is using them for grazing. He feeds more grain to stock and finds for himself and his family an ample supply of food, however short he may be on clothing and the other ordinary gadgets of civilization. Meanwhile people in the cities are short of food and fuel. So the governments are forced to use their foreign money and credits to procure these necessities abroad. This process exhausts funds which are urgently needed for reconstruction.

In simple language, the situation amounts to this: Most countries need goods in large quantities, but they do not have the necessary foreign exchange to pay for them. And they are unable to obtain the foreign exchanges because their productivity is not high enough to give them an export surplus. Finally, to complete this vicious circle, the financial resources of Europe are so depleted that few if any countries are in a position to extend credits to others.

These and many other difficulties have led the European countries to establish elaborate controls over all types of economic activity. For instance, unusual fiscal measures have been adopted in an effort to prevent runaway inflation. In the field of foreign economic relationships, most countries are now exercising controls, through quota systems, over the type of goods to be moved and, through foreign-exchange, control over the process of international payment. Most of the controls are essentially restrictive. They arise because of the necessity for allocating short facilities or materials to the most essential use. All such measures lead to the same basic difficulty—that of choking off trade. Because of this, most of the countries of Europe are relying on barter and compensation agreements when they find that they must import goods to secure minimum levels of production. This type of bilateralism works for only a relatively few simple items and limits the flow of trade between two countries to the amount which the poorer country is able to supply.

Finally, and most important, are the exceedingly low levels of operation in Germany, formerly the nerve center of much of Europe's trade, once a giant in the production of iron, steel, coal, a purchaser of raw materials and food from other parts of the continent, and the major supplier of manufactured goods to the bulk of the continental countries. Germany was more thoroughly smashed than any other part of industrial Europe. Germany was a workshop and supplier of manufactured goods, a railroad center, a shipping artery, a financial entity, and a purchaser of raw materials and food from other parts of Europe. It is far from that today.

The impact caused by the virtual disappearance of Germany from the European economy can be seen clearly in the case of a country like the Netherlands. Nearly one fifth of Dutch trade was conducted with Germany just before the war. In the case of key industrial imports such as iron and steel products, chemicals, machines, and instruments, the percentages were much higher. More than one half of all industrial equipment in the Netherlands is of German manufacture. It follows that Dutch industrial production is stagnating because of lack of spare parts, equipment, and materials of all kinds which Germany formerly supplied.

Germany was also an important market for Dutch products, particularly agricultural products which composed a third of total Dutch exports. The failure of Germany to take any part of its customary one fifth of Dutch exports of dairy products and garden produce has been a severe blow. Another major export item was the transit traffic through the Dutch ports of Amsterdam and Rotterdam. Eighty percent of the Dutch Rhine fleet was employed in carrying German goods. This substantial income for the Netherlands has been practically eliminated since the war. German trade through the Rhine ports has been reduced to a fifth of its prewar volume. In order to save foreign exchange, and thus reduce occupation costs, the occupying authorities have diverted this trade to the German North Sea ports, increasing the strain on a weakened German transportation system.

Italy, too, has been hurt by the shift in German food imports to cheaper calories such as grains. Seventy percent of Italian exports of fruits and vegetables were sent to Germany. They paid for 50 percent of the very substantial Italian imports from Germany. Today the flow of these items, badly needed for a vitamin-deficient population, has been practically stopped.

The failure of German exports, especially coal, to revive is an even more obvious hindrance. Because of the pressure to earn currencies which can be used to purchase needed import materials, there is a tendency for German manufacturing efforts to concentrate on luxury and semi-luxury items—cameras, toys, binoculars—which find a ready market in so-called "hard currency" countries such as the United States. In the meantime, Europe is starving for German mining machinery, spare parts, milking machines to increase Dutch and Danish dairy production, and many other items essential to recovery. As long as German production is less than half of prewar and with her trade lagging far behind even that low level, there can be no recovery in Europe.

This is the picture of Europe today. Most certainly it is not a pretty one, as many of you here tonight well know. Cities are in shambles, factories disrupted, the entire fabric of the economy dislocated, and on every hand the weary faces from which hope is fading.

In this unhappy situation, what has been the

record of the United States? We have sought to cooperate with all other nations in an atmosphere of genuine friendliness, both within the United Nations and through normal diplomatic and commercial channels. We have made substantial contributions to programs of emergency relief through loans, grants, credits, and the disposal of surplus property. And we have proposed and joined in financing plans designed to promote economic stability and world-wide prosperity on a long-term basis. The International Bank, which was created to finance long-run developmental projects; the International Monetary Fund, which was set up to aid in stabilizing currencies; and the International Trade Organization, which has been proposed by the United States for the fundamental purpose of expanding world commerce through breaking down the barriers to trade, are cases in point. Since the end of the fighting, the United States has made available to European relief and reconstruction grants and credits in the amount of nearly 11 billion dollars, of which more than 8 billion has been expended up to June 30, 1947. Finally, we have consistently endeavored to establish, in collaboration with other nations, those conditions—political, economic, and social—that will enable the peoples of the earth to live together in peace and increased well-being.

But in spite of our strenuous efforts, combined with those of other countries working toward the same objectives, we in this country must not lose sight of the sober fact that the world today is still in a critical condition from the effects of the war. There are a number of reasons for this. In the first place, there has been some underestimation of the extent of wartime damage, the exhaustion of the people, and the effect on Europe of price rises in this country. Second, because of the tremendous need, aid has necessarily been concentrated on relief rather than on recovery and reconstruction. In addition, there has been a lack of wholehearted international cooperation, due to differences in national interest, political disagreement, and a lack of appreciation of the economic interdependence of European well-being. In its

most acute form, this lack of cooperation has appeared to be positive obstructionism. A new approach is clearly indicated.

It is for this reason that Secretary Marshall on June 5 proposed that Europe take the initiative in making an inventory of the maximum resources it could utilize in effecting its own recovery and in estimating the minimum additional resources required to supplement its own money, goods, and labor in order to get the job done.²

Production is the key to European recovery, and Germany has its part to play in the over-all increase required. For more than two years, the United States has attempted to obtain implementation of the Potsdam agreement to treat Germany as a single economic unit and improve the level of industrial production, but with little success.

The recent directive to Gen. Lucius Clay³ and the joint decision calling for higher level of industry in the British-American zones of Germany⁴ are confirmation of the fact that the United States does not intend to wait longer to fulfil its obligation under the terms of the Potsdam agreement. These actions served notice that further needless delays would not be tolerated.

On the other hand, these actions do not, by any stretch of the imagination, mean or imply that the United States will condone development of industry in Germany to a point where it will be a war potential or even a threat to the peace. We reaffirm our determination to see to it that the terms of the Four Power agreement on the demilitarization of Germany are respected.

At the same time, we cannot deny the Germans economic hope, and we must see to it that they have the means to provide themselves with a decent living but, at the same time, a standard of living that, as set forth in the Potsdam agreement, is no higher than that of Europe as a whole.

In this connection, Secretary Marshall stated American policy during the Conference of Foreign Ministers at Moscow in these words: "The United States is opposed to policies which will continue Germany as a congested slum or an economic poorhouse in the center of Europe We want Germany to use its resources of skilled manpower, energy, and industrial capacity to rebuild the network of trade on which European prosperity depends; ultimately, it desires to see a peaceful Ger-

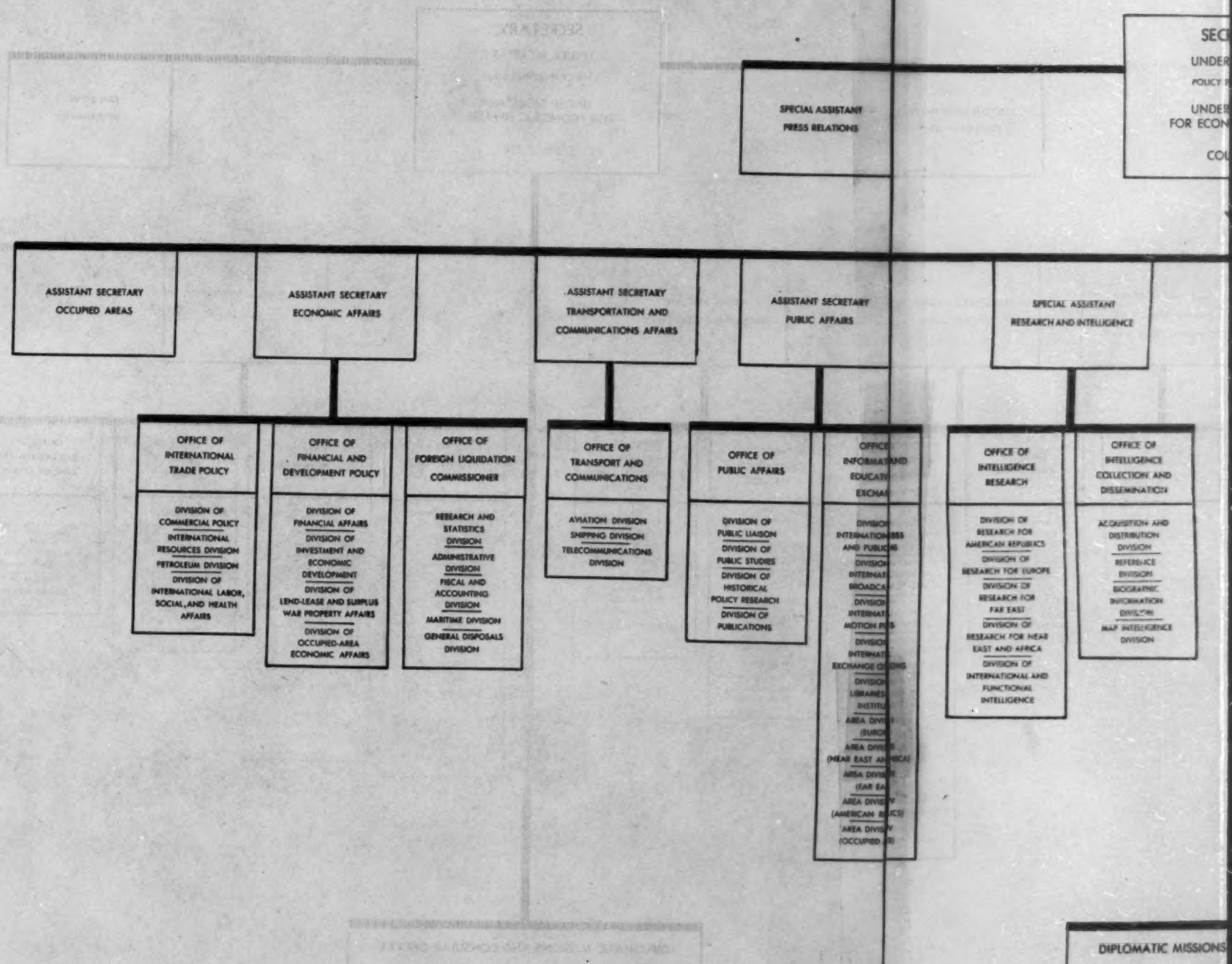
² BULLETIN of June 15, 1947, p. 1159.

³ BULLETIN of July 27, 1947, p. 186. See also Department of State publication 2913.

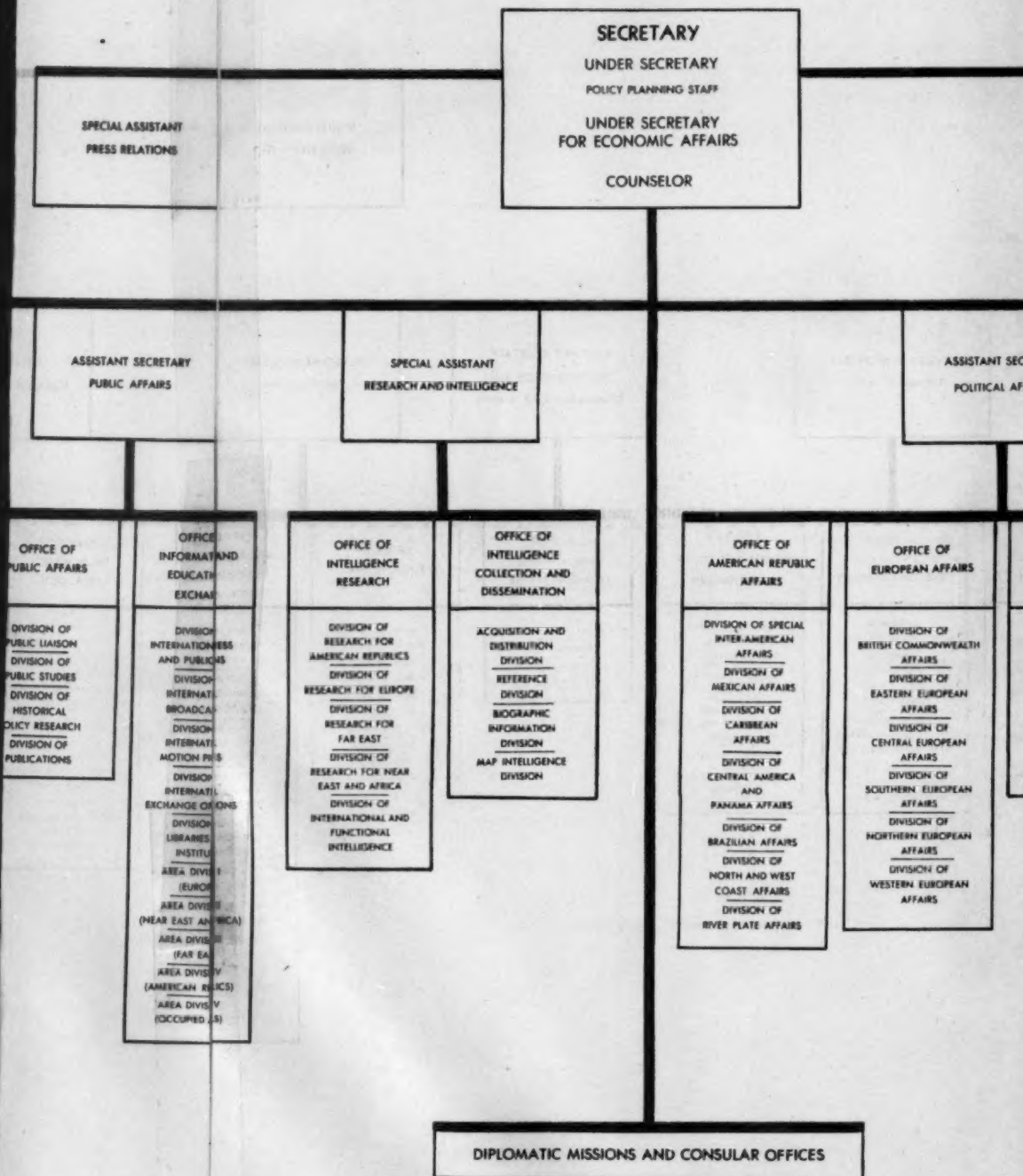
⁴ BULLETIN of Sept. 7, 1947, p. 467.

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AUGUST 13, 1947

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many, with strong democratic roots, take its place in the European and world community of nations."

These are the objectives of a free people who believe in the power and responsibilities of freedom—who are convinced that the more broadly these principles are applied, the more abundantly will people everywhere prosper and live in peace. These are the objectives of a people who believe that enterprise and production are the way to a richer life—who believe that fair dealing and cooperation are the true paths to peace and prosperity. These are the objectives of a people who believe that any totalitarian rule by fear, force, and fraud will eventually be found out for just what it is. These are the objectives of a people who with other freedom-loving peoples are prepared to make sacrifices now in behalf of peace rather than invite the greater sacrifices that would be demanded by a third world war.

The sacrifices we must make for peace are a small price to pay for the benefits and rewards of freedom. The acceptance of the requisite sacrifices is a test of the moral strength of a nation—the strength which, in the final analysis, is rooted in the national character. It is equally true that the survival capacity of a free and unregimented civilization depends upon the character of those who choose it against all other systems.

The choice we make today will—like the one made here in Philadelphia a century and a half ago—shape the destiny of humankind for generations to come.

Ambassador of Pakistan Arrives in U.S.

Mirza Abdul Hassan Ispahani, who has been designated first Ambassador of Pakistan to the United States, arrived in New York on September 10, via Pan American Airways, from London. He will assume charge of the Embassy of Pakistan in Washington.

Corrigendum

In the BULLETIN of August 24, 1947, page 398, footnote 1, change the date *August 23*, which was given as the date of a press conference by Acting Secretary Lovett, to *August 13*.

September 21, 1947

Denunciation of Habana Convention on Commercial Aviation

The American Embassy at Habana by a note of May 29, 1947, gave notification to the Government of the Republic of Cuba of the denunciation by the United States of the convention concerning commercial aviation, signed at Habana on February 20, 1928,¹ pursuant to article XXXVII thereof. The convention will cease to be in force with respect to the United States on November 29, 1947. The denunciation was given in compliance with article 80 of the convention on international civil aviation,² which was formulated at the International Civil Aviation Conference in Chicago on December 7, 1944, and entered into force on April 4, 1947.

Costa Rican Violinist Visits U.S.

Raúl Cabezas Duffner, concert violinist and professor of music at the National Conservatory of Music, San José, Costa Rica, is visiting music centers in this country at the invitation of the Department of State under the program administered by the Division of International Exchange of Persons.

On his visit to the United States Señor Cabezas is interested especially in observing methods of organization and systems of instruction at conservatories of music in Philadelphia, New York, Boston, Rochester, Chicago, San Francisco, and Los Angeles. He plans to remain in the United States for three months. This is his first visit to this country.

THE DEPARTMENT

Appointment of Officers

James A. Stillwell as Special Assistant, Office of the Under Secretary for Economic Affairs, effective July 13, 1947.

James H. Wright as Director, Office of American Republic Affairs, effective July 16, 1947.

S. Shepard Jones as Chief, Division of Public Studies, Office of Public Affairs, effective July 23, 1947.

Samuel Reber as Deputy Director, Office of European Affairs.

¹Treaty Series 840.

²Treaties and Other International Acts Series 1591.

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